

**Agenda****Environmental Protection  
Commission**

February 17, 1997

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

**Public Participation**

10:30 A.M.

**APPOINTMENT: Rob Jahries, UT Tire Recycling**

11:00 A.M.

*Tom Hadden, Kathy Morris, Jim Uveling (Legislative issues)*

11:30 A.M.

**Agenda topics**

- |   |                                  |
|---|----------------------------------|
| 1. Approve Agenda   |                                  |
| 2. Approve Minutes of January 21, 1997  |                                  |
| 3. Director's Report  | Larry Wilson (Information)       |
| 4. Monthly Financial Status Report  | Stan Kuhn (Information)          |
| 5. Landfill Alternatives Financial Assistance Awards  | Teresa Hay (Information)         |
| 6. Contract Amendment - Spring 1997 Toxic Cleanup Days  | Teresa Hay ( <b>Decision</b> )   |
| 7. Monthly Reports  | Allan Stokes (Information)       |
| 8. Air Quality Program Status   | Allan Stokes (Information)       |
| 9. Electronic Data Interchange Secure Internet Connection   | Allan Stokes (Information)       |
| 10. Notice of Intended Action--Chapter 22-23, Air Emission Guidelines for Municipal Solid Waste Landfills | Allan Stokes ( <b>Decision</b> ) |
| 11. Section 319 Nonpoint Source Project Contracts   | Allan Stokes ( <b>Decision</b> ) |
| 12. State Revolving Fund - Intended Use Plan 1997   | Allan Stokes ( <b>Decision</b> ) |
| 13. Final Rule--Chapter 100, Special Waste Authorizations   | Allan Stokes ( <b>Decision</b> ) |
| 14. Legislation Report  | Don Paulin (Information)         |
| 15. General Discussion  |                                  |
| 16. Address Items for Next Meeting  |                                  |

**Next  
Meeting  
Dates**

March 17, 1997

April 21, 1997

ENVIRONMENTAL PROTECTION COMMISSION

Monday, February 17, 1997

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

JANE McALLISTER

AHLERS LAW FIRM

DSM

JERRY FLECKLE

B. IRP

W'LOO

Amy Christensen

Sullivan + Ward

DM

Rick Kelley

UHL

DSM

Joe Robertson

Marshall Cnty Solid Waste

Marshalltown

Cathy Woolhus

Mid American Energy

Davenport

Penny Beeman

Dm Register

DM

Elizabeth Henderson

IDED

DSM

Linda King

"

"

Patrick Lulley

Lee Newspapers

DSM

GROWMARK, INC.

BLOOMINGTON, IL

DAN VEST

Metro Waste  
Authority

DSM

Gary Hoskey

Farmers Union

NFO Bldg Ames

Phil Seaman

Dr. Parsons Illinois

NFO Bldg Ames, IL

John F. Mahan

Sunrise

DM

Chris Gault

Farm Bureau

WDSM

Maria Ferreira

CRGAZETTE

Cedar Rapids

ENVIRONMENTAL PROTECTION COMMISSION

Monday, February 17, 1997

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

JERRY YOEMONS

BEARITETIRE

RHOODES

Bob Jahrlles

ut tire Recycler

Des Moines

John Kinsey

UT. TIRE RECYCLERS

DES MOINES

Tom Hadden

Metro Waste Authority Des Moines

RECORD COPY EPC Meeting  
File Name ADM-1-1-1 Feb. 1997  
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MINUTES  
OF THE  
ENVIRONMENTAL PROTECTION COMMISSION  
MEETING

FEBRUARY 17, 1997

WALLACE STATE OFFICE BUILDING  
DES MOINES, IOWA

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## MEETING MINUTES

### CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson King at 10:00 a.m. on Monday, February 17, 1997, in the Wallace State Office Building, Des Moines, Iowa.

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### MEMBERS PRESENT

William Ehm  
Rozanne King, Chair  
Dean McWilliams  
Charlotte Mohr, Secretary  
Kathryn Murphy  
Gary Priebe, Vice-Chair  
Terrance Townsend  
Rita Venner

### MEMBERS ABSENT

Verlon Britt

### ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - Tom Hadden, Kathy Morris & Jim Ulveling 11:30 a.m.

*Motion was made by Terrance Townsend to approve the agenda as amended. Seconded by Charlotte Mohr. Motion carried unanimously.*

APPROVED AS AMENDED

### APPROVAL OF MINUTES

*Motion was made by Dean McWilliams to approve the meeting minutes of January 21, 1997, as presented. Seconded by William Ehm. Motion carried unanimously.*

APPROVED AS PRESENTED

## DIRECTOR'S REPORT

Larry Wilson, Director, reviewed that the joint meeting with the State Board of Health is scheduled for Thursday, March 13, at 10:00 a.m. in their board room. He asked the Commissioners to let him know of any topics they may want to discuss.

Director Wilson distributed a report from Kathy Clasen giving an update on the Compliance Permit Assistance Team. He also distributed copies of the Iowa Department of Natural Resources Strategic Plan and related that copies went to DNR staff members and the Department of Management. Mr. Wilson distributed copies of a newspaper clipping on the Maple Grove hog facility and related that there may be some activity involving this case before the Commission in March.

## FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the YTD, as of 01/31/97, division level expenditure status schedule.

Notes are appended to each division's status schedule intended as explanations of significant departures from anticipated expenditures as compared to budget at this point. Particularly in the Fish and Wildlife and Parks divisions, expenditures will need to be managed carefully to remain within budget at the end of the fiscal year.

### DIRECTOR'S OFFICE/I&E BUREAU

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	977,916	1,179,858	672,519	606,023	66,496
PERS TRV IN	32,944	55,114	27,557	22,362	5,195
STATE VEHICL	3,897	7,791	4,542	3,418	1,124
VEHICLE LEASE	8,220	12,640	7,369	4,845	2,524
PERS TRV OUT	11,348	12,946	6,473	5,298	1,175
OFF SUPPLY	75,192	79,500	39,750	66,190	(26,440)
FAC MAINT SU	3,197	13,000	6,500	2,779	3,721
EQUIP MAINT	3,638	6,850	3,425	526	2,899
OTHER SUPPLY	73,889	104,950	52,475	56,868	(4,393)
PRINT & BIND	293,328	349,044	174,522	80,462	94,060
UNIFORMS	1,442	2,150	1,075	448	627
COMMUNICATIO	26,777	29,800	14,900	14,517	383
RENTALS	4,470	3,700	1,850	2,214	(364)
UTILITIES	229	750	375	123	252
PROF SERV	33,296	50,060	25,030	11,535	13,495
OUTSIDE SERV	73,860	46,619	23,310	36,382	(13,073)
ADVER PUB	0	5,000	2,500	0	2,500
DP-MAINFRAME	4,746	13,350	6,675	902	5,773
REIMBURSEMENT	796	525	263	300	(38)
EQUIPMENT	39,413	41,600	24,960	10,437	14,523
EQUIP NONINV	3,374	5,167	3,100	2,899	201
OTHER	551	2,650	1,325	902	423
	1,672,523	2,023,064	1,100,495	929,430	171,065

Note: The office supply overage is primarily within the Aquatic Education cost center because 80% of budget has been expended to date. Printing is under budget primarily because the bills for the last two issues of the magazine, estimated at \$60,000, were not paid as of 01/31/97.



## ADMINISTRATIVE SERVICES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	3,579,613	3,864,278	2,202,638	2,085,468	117,170
PERS TRV IN	45,609	55,750	27,875	18,050	9,825
STATE VEHICL	56,635	56,000	32,648	44,708	(12,060)
VEHICLE LEASE	69,430	79,500	46,349	39,670	6,679
PERS TRV OUT	6,519	12,000	6,000	3,287	2,713
OFF SUPPLY	342,869	340,200	170,100	86,785	83,315
FAC MAINT SU	1,150	15,500	7,750	359	7,391
EQUIP MAINT	48,882	52,000	26,000	21,124	4,876
OTHER SUPPLY	8,190	10,400	5,200	2,264	2,936
PRINT & BIND	23,443	23,500	11,750	15,779	(4,029)
UNIFORMS	3,464	3,000	1,500	873	627
COMMUNICATIO	108,666	117,100	58,550	45,717	12,833
RENTALS	1,008	500	250	0	250
PROF SERV	52,227	70,000	31,500	0	31,500
OUTSIDE SERV	81,237	64,500	32,250	61,083	(28,833)
ADVER PUB	528	500	250	145	105
DP-MAINFRAME	44,724	52,800	26,400	36,522	(10,122)
AUDITOR REIM	171,789	175,000	57,750	62,154	(4,404)
REIMBURSEMENT	156,555	152,750	76,375	65,163	11,212
EQUIPMENT	207,600	175,100	105,060	126,128	(21,068)
EQUIP NONINV	11,726	6,000	3,600	8,342	(4,742)
OTHER EXP	7,750	63,732	31,866	7,606	24,260
	5,029,614	5,390,110	2,961,661	2,731,227	230,434

Note: Vehicles are over budget due to use of this account to pay unbudgeted federal gas tax and, subsequently, reduce the expenditure on receipt of the refund. This factor will net to zero at year's end. Outsourced services are over due to use of temp help in place of several vacant positions and within Construction services to assist with CCC project design. The temp expenditure is more than offset by a compensating surplus in the salary line item.

## PARKS, PRESERVES AND RECREATION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	4,503,676	4,692,353	2,674,641	2,679,116	(4,475)
SEASONAL WORKERS	1,361,773	1,330,264	811,461	840,289	(28,828)
PERS TRV IN	74,702	73,050	36,525	21,743	14,782
STATE VEHICL	193,493	201,300	117,358	158,030	(40,672)
VEHICLE LEASE	249,875	298,400	173,967	149,910	24,057
PERS TRV OUT	4,946	6,200	3,100	4,207	(1,107)
OFF SUPPLY	43,613	44,000	22,000	16,770	5,230
FAC MAINT SU	567,338	513,830	256,915	390,878	(133,963)
EQUIP MAINT	386,151	342,000	171,000	212,479	(41,479)
AG CONS SUPP	27,246	34,500	17,250	10,467	6,783
OTHER SUPPLY	45,807	40,600	20,300	16,774	3,526
PRINT & BIND	65,367	32,500	16,250	3,791	12,459
UNIFORMS	37,039	34,577	20,746	30,860	(10,114)
COMMUNICATIO	100,133	111,000	55,500	58,652	(3,152)
RENTALS	41,037	42,550	21,275	30,240	(8,965)
UTILITIES	473,985	454,000	227,000	271,617	(44,617)
PROF SERV	53,409	51,784	25,892	17,000	8,892
OUTSIDE SERV	227,655	206,500	103,250	124,173	(20,923)
ADVER PUB	1,963	1,050	525	398	127
DP-MAINFRAME	2,140	5,000	2,500	724	1,776
REIMBURSEMENT	10,573	7,375	3,688	5,331	(1,644)
EQUIPMENT	226,828	248,536	149,122	209,356	(60,234)
EQUIP NONINV	16,399	800	480	8,934	(8,454)
OTHER EXP	432	700	350	236	114
LICENSES	1,145	697	349	1,050	(702)
	8,716,725	8,773,566	4,931,443	5,263,025	(331,582)

Note: Division expenditures are over due to vehicle fuel costs and facility/equipment maintenance expenditures. This will have to be offset by decreased equipment, supply, maintenance and seasonal worker expenditures throughout the remainder of the fiscal year.

## FORESTS AND FORESTRY DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	1,802,802	1,877,565	1,070,212	1,041,176	29,036
SEASONAL WORKERS	87,467	122,362	74,641	40,571	34,070
PERS TRV IN	41,920	41,200	20,600	22,975	(2,375)
STATE VEHICL	66,912	77,500	45,183	48,382	(3,200)
VEHICLE LEASE	118,585	136,500	79,580	66,860	12,720
PERS TRV OUT	5,167	11,500	5,750	3,744	2,006
OFF SUPPLY	28,570	19,000	9,500	8,945	555
FAC MAINT SU	38,187	35,500	17,750	24,834	(7,084)
EQUIP MAINT	55,993	55,500	27,750	28,755	(1,005)
AG CONS SUPP	78,354	74,000	37,000	52,731	(15,731)
OTHER SUPPLY	21,580	38,000	19,000	13,801	5,199
PRINT & BIND	13,751	21,500	10,750	13,818	(3,068)
UNIFORMS	11,716	13,000	6,500	7,490	(990)
COMMUNICATIO	48,783	48,500	24,250	22,346	1,904
RENTALS	39,879	43,000	21,500	6,905	14,595
UTILITIES	32,136	31,000	15,500	13,623	1,877
PROF SERV	14,291	1,500	750	0	750
OUTSIDE SERV	72,153	53,500	26,750	23,734	3,016
ADVER PUB	289	500	250	0	250
DP-MAINFRAME	1,248	1,500	750	422	328
REIMBURSEMENT	1,018	300	150	180	(30)
EQUIPMENT	39,392	66,285	39,771	60,168	(20,397)
EQUIP NONINV	1,192	9,574	5,744	2,442	3,302
OTHER EXP	42	0	0	56	(56)
	2,621,427	2,778,786	1,559,630	1,503,958	55,672

## ENERGY &amp; GEOLOGICAL RESOURCES DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	2,327,252	2,659,970	1,516,183	1,420,979	95,204
PERS TRV IN	23,745	40,168	20,084	8,864	11,220
STATE VEHICL	12,539	15,000	8,745	10,528	(1,783)
VEHICLE LEASE	12,230	14,000	8,162	3,920	4,242
PERS TRV OUT	42,688	74,336	37,168	22,037	15,131
OFF SUPPLY	30,382	34,858	17,429	14,435	2,994
FAC MAINT SU	623	1,500	750	364	386
EQUIP MAINT	1,837	3,200	1,600	548	1,052
PROF SUPPLY	1,465	1,434	717	31	686
OTHER SUPPLY	27,174	54,953	27,477	20,821	6,656
PRINT & BIND	36,466	54,573	27,287	7,237	20,050
UNIFORMS	1,321	1,300	650	15	635
COMMUNICATIO	40,490	41,350	20,675	16,437	4,238
RENTALS	2,112	2,500	1,250	2,295	(1,045)
UTILITIES	20,858	19,000	9,500	7,052	2,448
PROF SERV	943,476	1,129,990	508,496	259,341	249,155
OUTSIDE SERV	79,584	258,909	129,455	58,407	71,048
ADVER PUB	933	2500	1,250	145	1,105
OUT REPAIRS	14	500	250	165	85
DP-MAINFRAME	5,661	7,886	3,943	1,737	2,206
REIMBURSEMENT	10,714	11,635	5,818	4,707	1,111
EQUIPMENT	160,016	148,767	89,260	45,375	43,885
EQUIP NONINV	11,516	21,854	13,112	2,657	10,455
OTHER	4843	5,762	2,881	4,515	(1,634)
	3,797,939	4,605,945	2,452,140	1,912,612	539,528

Note: Professional services accounts for most of the budget surplus and results from lower than anticipated expenditures to date in a variety of federally funded initiatives. Actual expenditures to date are significantly under budget in several support categories, but are similar to expenditure status at the same point last fiscal year.

## ENVIRONMENTAL PROTECTION DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	8,780,016	10,642,911	6,066,459	5,423,685	642,774
PERS TRV IN	57,078	162,757	81,379	35,656	45,723
STATE VEHICL	39,981	58,550	34,135	33,507	628
VEHICLE LEASE	57,410	88,500	51,596	41,560	10,036
PERS TRV OUT	93,312	288,582	144,291	62,682	81,609
OFF SUPPLY	119,597	157,914	78,957	73,361	5,596
FAC MAINT SU	5,328	5,670	2,835	1,748	1,087
EQUIP MAINT	21,496	21,700	10,850	8,647	2,203
PROF SUPPLY	0	1,250	625	0	625
OTHER SUPPLY	14,901	39,684	19,842	18,733	1,109
PRINT & BIND	89,826	146,841	73,421	42,486	30,935
UNIFORMS	5,595	9,100	4,550	3,576	974
COMMUNICATIO	198,490	312,950	156,475	90,529	65,946
RENTALS	117,346	513,800	256,900	260,071	(3,171)
UTILITIES	23,352	24,400	12,200	10,835	1,365
PROF SERV	3,944,014	5,409,124	2,434,106	1,439,718	994,388
OUTSIDE SERV	79,547	171,400	85,700	95,566	(9,866)
ADVER PUB	8,310	11,626	5,813	5,305	508
DP-MAINFRAME	170,417	226,437	113,219	45,559	67,660
REIMBURSEMENT	57,442	64,500	32,250	29,519	2,731
EQUIPMENT	1,759,294	2,011,357	1,206,814	1,282,798	(75,984)
EQUIP NONINV	43,927	37,765	22,659	39,873	(17,214)
OTHER EXP	19,599	15,750	7,875	25,821	(17,946)
	15,706,278	20,422,568	10,902,949	9,071,235	1,831,714

Note: The apparent budget surplus is due primarily to vacancies, as compared to budgeted salaries, and professional services. The division's vacancy factor, on an annualized basis is 13.5%, with the Air Bureau's rate at 22%. The budget surplus in professional services is relates primarily to Air to-date expenditure being at 25% of the budgeted \$2.7 million. The Water Quality Bureau's professional services expenditure to date is 36% of the budgeted \$1.9 million, with most of that occurring in the 319 planning and federally funded flood studies.

## FISH AND WILDLIFE DIVISION

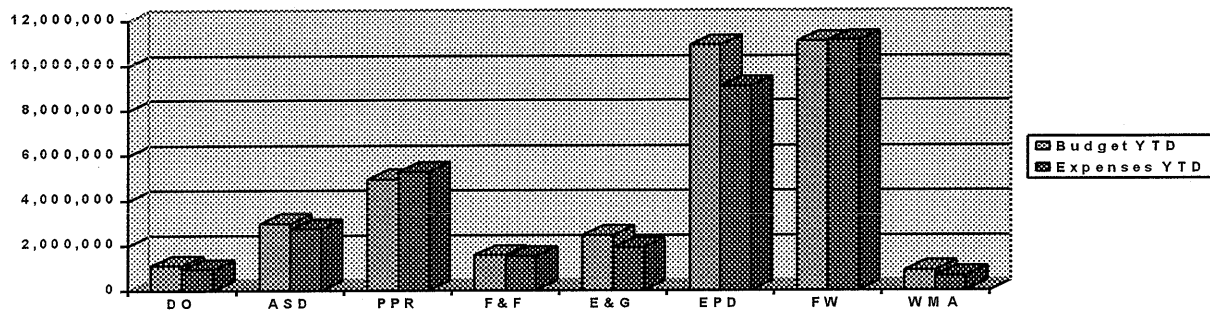
EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	12,402,330	12,946,097	7,379,275	7,481,574	(102,299)
SEASONAL WORKERS	805,914	837,412	510,821	493,897	16,924
PERS TRV IN	350,926	363,240	181,620	185,226	(3,606)
STATE VEHICL	506,847	512,700	298,904	370,271	(71,367)
VEHICLE LEASE	707,360	757,696	441,737	402,895	38,842
PERS TRV OUT	37,513	51,400	25,700	24,071	1,629
OFF SUPPLY	266,399	254,818	127,409	147,920	(20,511)
FAC MAINT SU	336,977	453,707	226,854	181,057	45,797
EQUIP MAINT	480,781	353,036	176,518	276,372	(99,854)
PROF SUPPLY	0	10,000	5,000	0	5,000
AG CONS SUPP	319,951	393,858	196,929	120,350	76,579
OTHER SUPPLY	193,323	113,077	56,539	136,880	(80,342)
PRINT & BIND	338,250	313,989	156,995	192,029	(35,035)
UNIFORMS	136,027	132,125	79,275	87,373	(8,098)
COMMUNICATIO	296,015	301,600	150,800	170,181	(19,381)
RENTALS	59,319	65,160	32,580	21,862	10,718
UTILITIES	234,382	242,216	121,108	117,171	3,937
PROF SERV	361,161	385,666	173,550	206,966	(33,416)
OUTSIDE SERV	175,192	171,862	85,931	54,500	31,431
ADVER PUB	4,349	23,600	11,800	157	11,643
DP-MAINFRAME	86,521	64,000	32,000	56,572	(24,572)
REIMBURSEMENT	82,648	120,751	60,376	15,387	44,989
EQUIPMENT	696,546	765,135	459,081	277,788	181,293
EQUIP NONINV	76,387	102,875	61,725	47,311	14,414
OTHER EXP	40,817	44,353	22,177	39,302	(17,126)
LICENSES	217	300	150	0	150
	18,996,152	19,780,673	11,074,852	11,107,112	(32,260)

Note: The budget shortfall relates primarily to Enforcement Bureau expenditures, primarily in salaries and travel. On a weighted average basis, YTD expenditures should be approximately 56% as of 01/31/97. Enforcement expenditures are at 60%, with both Fisheries and Wildlife at 54%. Of the projected overage in Enforcement salaries of \$142,000, about \$60,000 relates to a DOM projection problem. The remainder is due to a retirement and compensatory time payouts.

## WASTE MANAGEMENT ASSISTANCE DIVISION

EXPENSE CATEGORY	Actual FY96	Budget FY97	YTD Budget 1/31/97	YTD Actual 1/31/97	Under (Over)
PERS SERV	772,841	897,571	511,615	468,464	43,151
PERS TRV IN	28,797	60,855	30,428	27,438	2,990
STATE VEHICL	0	0	0	48	(48)
PERS TRV OUT	20,579	37,505	18,753	11,381	7,372
OFF SUPPLY	13,475	60,172	30,086	11,393	18,693
EQUIP MAINT	1,192	915	458	199	259
OTHER SUPPLY	34,090	13,270	6,635	20,279	(13,644)
PRINT & BIND	43,742	109,393	54,697	23,816	30,881
UNIFORMS	28	0	0	0	0
COMMUNICATIO	15,567	20,000	10,000	6577	3,423
RENTALS	776	4,390	2,195	873	1,322
PROF SERV	62,065	392,413	176,586	44137	132,449
OUTSIDE SERV	8,855	11,835	5,918	3162	2,756
ADVER PUB	8,101	12,475	6,238	5120	1,118
DP-MAINFRAME	2,737	3,900	1,950	904	1,046
REIMBURSEMENT	33,075	59,870	29,935	11,756	18,179
EQUIPMENT-LARGE	34,166	12,610	7,566	5,152	2,414
EQUIPMENT-SMALL	1136	4964	2,978	1883	1,095
OTHER	5,628	6,700	3,350	5992	(2,642)
	1,086,850	1,708,838	899,386	648,574	250,812

January 31, 1997 YTD Division Expenditure/Budget Status



Mr. Kuhn reviewed the individual division reports.

Brief discussion followed regarding the increase in fuel prices and the fluctuation in the "Outside Services" category under the Director's Office.

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### LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE AWARDS

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received twenty-six (26) applications, requesting nearly \$4.5 million in financial assistance, for consideration during the December 1996 round of funding. From these applications, seven (7) were recommended for funding for a total of \$1,159,304.

A summary of selected applications are attached for the Commission's information. It is anticipated that contracts will be presented to the Commission for approval at the March 1997 meeting.

**LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM****APPLICATIONS RECOMMENDED -- DECEMBER 1996**

The following Landfill Alternatives Financial Assistance Program proposals have been selected to receive financial assistance. Twenty-six (26) applications were received requesting over \$4 million. Seven (7) projects were selected to receive a total of \$1,159,304 in grants and zero interest loans.

<b>Applicant:</b>	University of Northern Iowa Center for Energy and Environmental Education Cedar Falls, Iowa 50614-0293	<b>Project Title:</b>	Festival Waste Reduction and Recycling
<b>Award:</b>	\$31,025 -- Education	<b>Contact:</b>	Rick Stinchfield - (319)273-7357
<b>Award Type:</b>	Grant		
<b>Description:</b>	The applicant is proposing to implement a comprehensive education and recycling program designed to promote awareness of the solid waste hierarchy and implement waste reduction and recycling initiatives at three northeast Iowa festivals (Sturgis Falls Celebration, Cedar Basin Jazz Festival, and College Hill Arts Festival). These festivals attract an estimated 300,000 patrons annually. The project will commence with festivals held during the summer of 1997. A review of the festivals, their waste streams, waste handling, grounds configuration, patron behavior with regard to trash disposal, patron attitudes toward waste reduction and recycling and other factors will be studied. Prior to the 1998 festivals, information compiled from the 1997 festivals will be evaluated, an educational waste reduction and recycling program will be developed and solid waste management displays produced. In addition to the educational component, a companion waste reduction and recycling program will be developed and implemented at each festival during 1998 with a goal of reducing landfilled solid waste by 60%. The program will be designed with input from festival organizers and festival vendors. Results of the 1998 festivals will be analyzed and a festival waste reduction and recycling manual will be produced and distributed, a valuable tool in implementing similar programs at other Iowa and national festivals and events. The educational displays will also be available, on loan, for other Iowa festivals. Grant assistance is requested for labor, education materials, manual printing and distribution.		

The applicant has not received financial assistance through this program.

<b>Applicant:</b>	Bluestem Solid Waste Agency 6301 Kirkwood Blvd. SW, Building EC31 P.O. Box 2068 Cedar Rapids, Iowa 52406	<b>Project Title:</b>	Bioreactor Cell Pilot Project
<b>Award:</b>	\$493,525 - R&D/Demo	<b>Contact:</b>	David Hogan - (319)398-1278
<b>Award Type:</b>	Grant		
<b>Description:</b>	The applicant is proposing a multi-year project to demonstrate two emerging landfill technologies that will result in material diversion, a useable compost product and reduced landfill size requirements. Technologies to be demonstrated include optimized leachate		

recirculation, landfill gas collection to maximize the rate at which organics decompose in a landfill, and mining a stabilized landfill followed by screening of the excavated materials to recover compost material. The project is to demonstrate that by combining these technologies, landfill space can be reclaimed while generating a beneficial compost product via a relatively low cost compost process suitable for use by large and small landfills. This pilot demonstration project will divert an estimated 8,500 tons and provide several other benefits, including but not limited to:

- optimal leachate recirculation to maximize organic decomposition;
- maximum landfill gas production and time frame;
- analysis of compost characteristics to determine suitability for immediate use or need for further aerobic composting;
- determine the reusability of the liner after cell mining;
- degree of decomposition over time through recovery and analysis of "time capsules";
- monitor such cell information as subsidence, temp, moisture, leachate and landfill gas quantity and quality;
- compare results of the control cell (MSW only) and a cell where biosolids are added to MSW; and
- reduce landfill size requirements and the difficulties in siting new landfills.

Grant assistance is requested for landfill cell construction (100'x200'x45'), leachate recirculation system, laboratory analysis/sampling, and cell mining.

The applicant has received a previous award through this program. \$65,464 was awarded in December 1995 to conduct a waste sort and characterization study before and after the proposed landfill ban on corrugated cardboard. This two phase waste sort will allow assessing the impact and compliance with the ban, identify recyclable materials being landfilled leading to programs targeting these materials for future diversion. A manual is also being developed for conducting field waste sorts. This manual will be distributed to all landfills to encourage consistency in methodology leading to consistent and compatibility data. This manual will also be used by the Department in conducting a Statewide Waste Sort and Characterization Study in the Fall 1997 and Spring 1998.

These projects are directly linked in that it is critical for a landfill to identify the types of organic and inorganic materials placed in a landfill and the bioreactor cell as it will impact the performance and time required before cell mining and compost recovery. The project will also provide performance data of interest to other landfills in Iowa and nationally and the US EPA.

<b>Applicant:</b>	Howard County Conservation Board County Courthouse 137 North Elm Street Cresco, Iowa 52136	<b>Project Title:</b>	Recycled Education/Demonstration	<b>Product</b>
<b>Award:</b>	\$36,032 - Education	<b>Contact:</b>	Harold Chapman - (515)547-3634	
<b>Award Type:</b>	Grant			
<b>Description:</b>	The applicant will implement an education, market development and buy recycled project through the purchase and installation of two recycled content playgrounds. Recycled content products include play equipment, landscaping materials, safety surfacing, furniture and signage. Formal and informal education programs will be conducted by area schools and the County Conservation Board. Education programs will target children and adults and be designed to raise awareness of waste reduction, recycling and closing the loop. Program goals include increased participation in waste reduction, local recycling programs and recycled content			

purchases. The project supports the Department's closing the loop and buy recycled initiatives as well as being a valuable addition to local school and County Conservation Board environmental programs. Grant assistance is requested for the purchase of recycled products.

The applicant has not received previous funding through this program.

<b>Applicant:</b>	Union County Landfill Commission		
	Union County Courthouse 300 N. Pine Street Creston, Iowa 50801		
		<b>Project Title:</b>	Waste Reduction and Recycling Education Coordinator
<b>Award:</b>	\$33,200 - Education	<b>Contact:</b>	Gerald McLain - (515)782-4610
<b>Award Type:</b>	Grant		
<b>Description:</b>	<p>The applicant will hire a part-time education coordinator to provide waste reduction and recycling education for the three county planning area (Union, Adams, Taylor Counties). The goal of the project is to expand and enhance recyclable material identification, increase participation in local recycling opportunities and increase understanding of waste reduction and recycling issues through presentations, educational materials, videos, educational columns in local newspapers, etc. Education programs and materials will target citizens, schools, business, industry and other interested groups. The Landfill Commission conducted a landfill waste sort that provides baseline data and will serve as a benchmark in directing the education coordinator's activities programming.</p> <p>The Department will provide up to \$2,000, included in the above award amount, for the purchase of supplies to conduct a second waste sort at the end of the contract. Information gained from the second waste sort will assist in determining success of the project in diverting materials from the landfill and increased recycling program participation. It is also expected that information gained from the waste sort will be used in the Department's Statewide Waste Sort and Waste Characterization Study currently being developed for implementation in Fall 1997 and Spring 1998. Grant assistance is requested for personnel and supplies.</p> <p>The applicant has not received previous financial assistance through this program.</p>		

<b>Applicant:</b>	BFC Gas and Electric, L.C. 2010 South Ankeny Blvd. Ankeny, Iowa 50021		
		<b>Project Title:</b>	Biomass Fuel Manufacture
<b>Award:</b>	\$326,850 - R&D/Demonstration	<b>Contact:</b>	Warren Dunham - (515)964-6787
<b>Award Type:</b>	Grant - \$88,740 and Loan - \$238,110		
<b>Description:</b>	<p>The project involves custom blending various types of biomass waste streams (low grade and non-recyclable paper, waste wood, sludge from Cedar River Paper Company, etc.) into a feedstock suitable for gasification leading to the generation and sales of electricity. The project estimates the consumption of up to 50,000 tons of material annually. The applicant will charge a competitive tipping fee compared to area landfills making the diversion of materials to this facility attractive to area solid waste generators and haulers. Grant assistance is requested for the purchase and installation of biomass processing equipment and engineering costs.</p> <p>The applicant has received two previous awards, \$72,152 in June 1992 and \$60,981 in December 1995. Previous projects involved the manufacture and sales of fuel cubes manufactured from various low grade and non-recyclable paper, waste wood, sludge, etc.</p>		

materials. This proposed project differs from previous projects in that additional waste streams will be impacted and once blended, the materials will be directly fed into the boiler for combustion and the generation of electricity rather than processed into fuel cubes.

<b>Applicant:</b>	Scranton Manufacturing Co., Inc. 101 State Street PO Box 336 Scranton, Iowa 51462	<b>Project Title:</b>	Automated Curbside Recycling Vehicle
<b>Award:</b>	\$214,422 - Grant & Loan - R&D/Demo	<b>Contact:</b>	Kevin Watjie - (712)652-3396
<b>Award Type:</b>	Grant - \$26,528 and Loan - \$187,894		
<b>Description:</b>	<p>The applicant is seeking assistance to design, construct and demonstrate a recycling collection vehicle to improve the economics of curbside collection. It is estimated that two-thirds of the cost of recycling is tied up in the collection phase. The project will address high collection costs, coupled with the current relatively low market prices for many recyclable commodities, by designing, constructing and demonstrating a fully automatic collection vehicle. The vehicle will be designed with a split body to allow a simple two stream sort with independent compaction and a one person crew. Through the use of an automated arm, the vehicle will collect and empty materials from a split body curbside cart. Recycling program impacts are anticipated through:</p> <ul style="list-style-type: none"> <li>• reducing curbside collection costs by 50 to 60 percent;</li> <li>• increased average tonnage collected per vehicle by 300%;</li> <li>• increased average number of homes collected by 2 to 3 times per vehicle per day over manual collection;</li> <li>• increased landfill diversion by 20 to 30 percent; and</li> <li>• decreased capital collection equipment requirements by 50 to 60%.</li> </ul> <p>Phase I of the project will determine the mechanical ability of the vehicle and collection arm to lift a divided curbside cart and empty the contents into the appropriate vehicle chamber with little cross contamination. Phase II is a 2 part demonstration. Part A is a demonstration of collecting fibre materials and commingled glass, plastic and metals in the split body curbside cart. Part B is to demonstrate collection of all recyclables in one side and solid waste destined for the landfill in the other side of the curbside cart. Grant funds are requested for building construction, equipment and prototype vehicle body construction.</p> <p>The applicant has not received previous financial assistance through this program.</p>		

<b>Applicant:</b>	Van Buren County Solid Waste Management Commission PO Box 475 Keosauqua, Iowa 52565	<b>Project Title:</b>	Recycling & Waste Reduction Education
<b>Award:</b>	\$24,250 - Education	<b>Contact:</b>	Gene Stine - (319)498-4554
<b>Award Type:</b>	Grant		
<b>Description:</b>	<p>The applicant is proposing to hire a part-time education coordinator to provide waste reduction and recycling education throughout Van Buren County. The goal of the project is to expand and enhance recyclable material identification, increase participation in local recycling opportunities and improve understanding of waste reduction and recycling issues through presentations, educational materials, videos, educational columns in local newspapers, etc. Education programs and materials will target citizens, schools, business, industry and other interested groups.</p>		



The Department will provide up to \$2,000, included in the above award amount, per waste sort for the purchase of supplies in conducting a waste sort at the beginning and again at the end of the contract. Information gained from the two waste sorts will provide baseline data, serve as a benchmark in directing the education coordinator's activities programming, assist in determining the success of the project in diverting materials from the landfill and increased recycling program participation. It is also expected that information gained from the waste sorts will be used in the Department's Statewide Waste Sort and Waste Characterization Study currently being developed for implementation in Fall 1997 and Spring 1998. Grant assistance is requested for personnel and supplies.

The applicant has not received previous financial assistance through this program.

Ms. Hay reviewed the seven applications selected for awards.

Discussion followed regarding the Blue Stem proposal; Union, Howard and Van Buren county projects centering on education; and the Scranton Manufacturing project not affecting the amount of waste going to the landfill.

<b>INFORMATIONAL ONLY</b>
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### **CONTRACT AMENDMENT - SPRING 1997 TOXIC CLEANUP DAYS**

Teresa Hay, Division Administrator, Waste Management Assistance Division, presented the following item.

The Commission approved a contract with Laidlaw Environmental Services of Illinois, Inc. for the disposal of wastes collected at Toxic Cleanup Day events for the fiscal year 1997.

The original contract allowed for a maximum of \$312,925 to sponsor Toxic Cleanup Day events for the fall of 1996 in eight counties with the provision that the servicing of additional Toxic Cleanup Day events to be held in the spring, be on the same basis as set forth in the original contract. The amount actually spent by the Department for the fall events was \$181,317.90.

The Department has requested additional proposals from Iowa counties to host spring of 1997 Toxic Cleanup Day events. The following eleven counties have been selected to host the spring events:

Allamakee	Cass	Plymouth
Boone	Crawford	Poweshiek
Bremer	Howard	Sac
Carroll	Page / Fremont	

The Department has negotiated a local cost share with each county.

We recommend that the contract 97-G340-01 be amended to include the eleven spring Toxic Cleanup Day events at a total cost not to exceed \$394,578.40. The Commission is requested to approve this amendment for the 1997 spring Toxic Cleanup Day events.

### **CONTRACT AMENDMENT**

This amendment covers changes in the Special Conditions of Contract 97-G340-01 between the ~~Iowa Department of Natural Resources and Laidlaw Environmental Services~~. All parts of the Special Conditions that are not amended below and all parts of the General Conditions of this Contract shall continue to be enforced throughout the Time of Performance.

**1. Amend Distribution Copies by adding the following:**

**Copy 9:** Allamakee County  
**Copy 10:** Boone County  
**Copy 11:** Bremer County  
**Copy 12:** Carroll County  
**Copy 13:** Cass County  
**Copy 14:** Crawford County

**Copy 15:** Howard County  
**Copy 16:** Page/Fremont County  
**Copy 17:** Plymouth County  
**Copy 18:** Poweshiek County  
**Copy 19:** Sac County

**2. Amend Article I by adding:**

**Additional Parties** to this contract are: Allamakee County Solid Waste Commission, (hereinafter referred to as Allamakee County), Boone County Landfill, (hereinafter referred to as Boone County), Bremer County Board of Supervisors, (hereinafter referred to as Bremer County), Carroll County Solid Waste Commission, (hereinafter referred to as Carroll County), Cass County Board of Supervisors, (hereinafter referred to as Cass County), Crawford County Area Solid Waste Commission, (hereinafter referred to as Crawford County), Howard County Board of Supervisors, (hereinafter referred to as Howard County), Page and Fremont County Board of Supervisors, (hereinafter referred to as Page/Fremont County), Plymouth County Solid Waste Agency, (hereinafter referred to as Plymouth County), The Grinnel 2000 Foundation, (hereinafter referred to as Poweshiek County), Sac County Sanitarian, (hereinafter referred to as Sac County).

**3. Amend Article II as follows:**

Add to **Section 2.3 Key Personnel for Contract** the following:

**Bill Adam**, Allamakee County Solid Waste Commission  
**David L. Norton**, Boone County Landfill  
**Darrin Siefken**, Bremer County Conservation Board  
**Mary Wittry**, Carroll County Solid Waste Commission

**Patrick Hall**, Southwest Iowa Planning Council  
**Chuck Ettleman**, Crawford County Area Solid Waste Commission  
**Craig P. Fencil**, Howard County Dept. of Waste Management  
**Jerry Abma**, Page County Conservation Board  
**Bruce Lancaster**, Plymouth County Solid Waste Agency  
**Bill Molison**, The Grinnell 2000 Foundation  
**Charles Bettin**, Sac County Sanitarian

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4. **Amend Article VI** by **adding** the following:

**April 26, 1996**

Plymouth County  
Plymouth Co. Engineer's Maint. Facility  
Le Mars, IA

Sac County  
Sac County Fairgrounds  
Sac City, IA

**May 3, 1996**

Allamakee County  
Waukon Fairgrounds  
Waukon, Iowa

Bremer County  
Bremer County Landfill  
Waverly, IA

Howard County  
Howard County Fairgrounds  
Cresco, IA

**May 10, 1996**

Boone County  
Boone County Fairgrounds  
Boone, IA

Poweshiek County  
Poweshiek County Maint. Shop  
Grinnell, IA

Page/Fremont Counties

Shenandoah Sanitation  
Shenandoah, IA

**May 17, 1996**

Carroll County  
Carroll County Recycling Center  
Carroll, IA

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Cass County  
Cass County Fairgrounds  
Atlantic, IA

Crawford County  
Crawford County Landfill  
Denison, IA

**5. Amend Article VIII** as follows:

Change **Section 8.1 Funding** to read :

Allamakee County agrees to pay for the first \$1,325.00 of the cost of the service for the event in Allamakee County.

Boone County agrees to pay for the first \$10,000.00 of the cost of the service for the event in Boone County.

Bremer County agrees to pay for the first \$2,098.50 of the cost of the service for the event in Bremer County.

Carroll County agrees to pay for the first \$500.00 of the cost of the service for the event in Carroll County.

Cass County agrees to pay for the first \$5,000.00 of the cost of the service for the event in Cass County.

Crawford County agrees to pay for the first \$500.00 of the cost of the service for the event in Crawford County.

Howard County agrees to pay for the first \$3,500.00 of the cost of the service for the event in Howard County.

Page County agrees to pay \$3,669.50 of the cost of the service for the event in Shenandoah, IA.

Fremont County agrees to pay \$1,803.50 of the cost of the service for the event in Shenandoah, IA.

Plymouth County agrees to pay for the first \$2,525.10 of the cost of the service for the event in Plymouth County.

Poweshiek County agrees to pay for the first \$3,000.00 of the cost of the service for the event in Poweshiek County.

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Sac County agrees to pay for the first \$1,500.00 of the cost of the service for the event in Sac County.

Revise **Section 8.1 - N** language as follows, "The Department agrees to pay for the **remaining costs** of the service for the **Toxic Cleanup Days** held in the **Spring of 1997** in the counties of Allamakee, Boone, Bremer, Carroll, Cass, Crawford, Howard, Page/Fremont, Plymouth and Poweshiek at a total cost **not to exceed** \$369,578.40. The Department may also authorize the contractor to accept waste from counties other than those in the above specified events at the discretion of the department up to an **additional** \$25,000 for the rendering of these services. The maximum amount the Department agrees to pay at its **discretion** is \$394,578.40."

Ms. Hay explained details of the contract.

Rita Venner asked if the dates under number 4 should be 1997 rather than 1996.

Ms. Hay affirmed that they should be corrected to read 1997.

*Motion was made by Charlotte Mohr to approve the Contract Amendment with Laidlaw Environmental Service, Inc. for the Spring 1997 Toxic Cleanup Days. Seconded by Rita Venner. Motion carried unanimously.*

APPROVED AS PRESENTED

## MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

**RULEMAKING STATUS REPORT**  
**February 1, 1997**

<u>PROPOSAL</u>	<u>NOTICE TO COMM</u>	<u>NOTICE PUBLISH</u>	<u>RULES REVIEW COMM</u>	<u>HEAR- ING</u>	<u>FINAL SUMMARY TO COMM</u>	<u>RULES ADOPTED</u>	<u>RULES PUBLISH</u>	<u>RULES REVIEW COMM</u>	<u>RULE EFFECTIVE</u>
1. Ch. 20 - Potential to Emit for Emergency Generators	9/16/96	10/09/96	11/13/96	11/07/96	*3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/14/97
2. Ch. 20, 21, 23, 25 and 29 - Air Quality Rules	10/21/96	11/20/96	12/11/96	12/10/96	*3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/14/97
3. Ch. 22, 23 - Air Quality-Emission Guidelines for Municipal Solid Waste Landfills	2/17/97	*3/12/97	*4/08/97	-----	*5/19/97	*5/19/97	*6/08/97	*7/07/97	*7/23/97
4. Ch. 61 - WQ Standards - Section 401 Certification/Section 404 Nationwide Permits	9/16/96	10/09/96	11/13/96	11/06/96	1/21/97	1/21/97	2/12/97	*3/11/97	*3/19/97
5. Ch. 100, 102 - Special Waste Authorizations	10/21/96	11/20/96	12/11/96	12/13/96	2/17/97	*2/17/97	*3/12/97	*4/08/97	*4/16/97
6. Ch. 216 - Regents Tire Derived Fuel Program	1/21/97	2/12/97	*3/03/97	*3/05/97	*3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/14/97
8. Ch. 217 - Waste Tire Processor Incentive Program	1/21/97	2/12/97	*3/03/97	*3/05/97	*3/17/97	*3/17/97	*4/09/97	*5/05/97	*5/14/97

**Variance Report - January 1997**

<b>No.</b>	<b>Facility</b>	<b>Program</b>	<b>Engineer</b>	<b>Subject</b>	<b>Decision</b>	<b>Date</b>
1	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Lagoon Riprap	Approved	01/03/97
2	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Number of Lagoon Cells	Approved	01/03/97
3	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Pond Influent Piping	Approved	01/03/97
4	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Buried Discharge Valves	Approved	01/03/97
5	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Inter-Cell Control Structure	Approved	01/03/97
6	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Company	Minimum Sewer Size	Approved	01/03/97
7	Exline-(Wapello Rural Water Association)	Wastewater Construction	McClure Engineering Co.	Manhole Spacing	Approved	01/03/97

8	Viking Lake State Park Campground- Montgomery County	Wastewater Construction	Veenstra & Kimm, Inc.	Valve Pit	Approved	01/03/97
9	Dike, City of- Wastewater Treatment Plant Access Road- IDOT	Flood Plain	IDOT	Freeboard	Approved	01/30/97
10	Hess Road Culvert- Black Hawk County	Flood Plain	Black Hawk County Engineer	Backwater	Approved	01/17/97
11	Lenth Wetland Dam- Van Buren County	Flood Plain	Natural Resources Conservation Service	Storm/Storage Capacity	Approved	01/28/97
12	Clarke County Sanitary Landfill	Solid Waste	Barker Environmental Services, Inc.	Ground water Monitoring	Approved	01/17/97
13	Hamilton County Sanitary Landfill	Solid Waste	Barker Environmental Services, Inc.	Groundwater Monitoring	Approved	01/17/97
14	Woodbury County-Neal North Ash Landfill	Solid Waste	Montgomery Watson	Leachate Control	Approved	01/17/97
15	Auburn, City of	Watersupply Construction	Sundquist Engineering	Water Monitoring	Approved	01/02/97
16	Varina, City of	Watersupply Construction	Kuehl & Payer, Ltd.	Innovative/Alternative Treatment Technique	Approved	01/22/97

### Report of Hazardous Conditions

From January 1, 1997, - January 31, 1997, 39 reports of hazardous conditions were received. A summary is presented below. This does not include releases from underground storage tanks.

Month	Total Incidents	Petroleum Product	Agri - Chemical	Other Chemicals	Handling Storage	Pipeline	High way Incident	RR Incident	Fire	Other
Oct.	52(64)	28(37)	10(9)	14(18)	31(21)	0(0)	13(35)	4(3)	0(1)	4(4)
Nov.	33(52)	18(34)	9(7)	6(11)	16(25)	0(4)	12(21)	2(1)	0(0)	3(1)
Dec.	33(56)	20(30)	3(11)	10(15)	16(28)	1(2)	12(21)	0(2)	1(1)	3(2)

(numbers in parentheses for the same period in fiscal year '96)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
6	8	3	7	9	6

### Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation		Action	Date
Long Branch Tavern, Monmouth (1)	Drinking Water	Permit Renewal		Order/Penalty \$200	1/09/97
Thurman, City of (4)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Emerald Hills, L.C., Dickinson Co. (3)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Northwood Country Club, Northwood (2)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Larchwood, City of (3)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Ballard Golf and Country Club, Ballard (5)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Solvay Animal Health, Inc., Floyd Co. (2)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Martin Marietta Aggregates, Story Co. (5)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Martin Marietta Aggregates, Humboldt Co. (2)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Martin Marietta Aggregates, Marshall Co. (5)	Water Rights	Operation to Permit	Contrary	Order/Penalty \$100	1/14/97
Jeff Pitkin, Winnebago Co. (2)	Waste-water	Prohibited Discharge		Consent Order/ Penalty \$3,000	1/14/97
Kalona Golf Club, Inc., Kalona (6)	Drinking Water	Monitoring/Reportin g- Bacteria, Nitrate		Order/Penalty \$750	1/14/97
Lacona, City of (4)	Waste-water	Discharge Limits		Consent Order Stip. Penalties	1/17/97
Wayne Johnson, Rockford (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal		Order/Penalty \$1,000	1/17/97
Bellevue Golf Club, Inc., Bellevue (1)	Drinking Water	Monitoring/Reportin g- Bacteria, Nitrate		Order/Penalty \$2,200	1/17/97
Stickle Farms, Inc.; Stickle Salvage Feed, Inc., Linn Co. (1)	Waste-water	Prohibited Discharge		Consent Order/ Penalty	1/21/97



\$4,800

Brian McKernan d/b/a Hickory Grove Mobile Home Park, Story Co. (5)	Waste-water	Discharge Limits; Monitoring/Reporting	Referred to AG	1/22/97
Papetti's of Iowa Food Products, Inc., Taylor Co. (4)	Waste-water	Prohibited Discharge	Referred to AG	1/22/97
Steven A. Mullane d/b/a S & S Landscaping Services, Des Moines (5)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to AG	1/22/97
Austin J. DeCoster, Sow Unit #1 (2)	Waste-water	Prohibited Discharge	Referred to AG	1/22/97
Al's Fisherman's Wharf, Dubuque (1)	Drinking Water	Monitoring/Reporting- Bacteria, Nitrate	Order/Penalty \$500	1/30/97

**SUMMARY OF ADMINISTRATIVE PENALTIES**

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
*63-80 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
Ida Grove Farm Supply Co. d/b/a Double Circle Farm Supply Co. (Galva)	UT	2,300	5-15-94
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
Central Water Works (Fort Dodge)	WS	275	8-21-94
Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
Holland, City of	WS	550	8-28-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
RHCL School (Luxemberg)	WS	125	9-14-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
Scenic View Estates (Decorah)	WS	275	9-25-94
Batavia, City of	WS	650	10-17-94
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Valley Heights 1st Annex (Blue Grass)	WS	550	6-05-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95

Crestwood Acres; Mid County Water, Inc. (Toddville)	WS	375	6-13-95
Lake Vista Improvement Assn., Inc. (Solon)	WS	200	6-14-95
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
David A. Dohlgan d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Sheldahl, City of	WS	200	8-30-95
Norman Klynasma d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Carter Lake, City of	WS	200	10-25-95
Meadow Knolls Addition (Marion)	WS	200	10-29-95
Searsboro, City of	WW	2,500	11-08-95
*R.V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
Sportsmen's Club (Waukon)	WS	100	4-01-96
C & C Ltd. d/b/a Country View MHP (Denison)	WS	475	4-08-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
Hofer's Danceland Ballroom (Walford)	WS	100	5-04-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
*Woden-Crystal Lake Comm. School District (Crystal lake)	AQ	1,000	8-01-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
*Dan Peterson d/b/a Peterson Backhoe (Dumont)	AQ	500	9-22-96
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
#Eugene VanDenBerghe (Scott Co.)	WW	2,000	1-06-97
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
*#Gary Watson (Cerro Gordo Co.)	WW	450	2-01-97
*First United Methodist Church (Ft. Madison)	AQ	500	2-01-97
*Orville Long (Polk Co.)	SW	450	2-10-97
Craig Burgin (Indianola)	UT	600	2-19-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Thurman, City of	WR	100	3-17-97
Northwood Country Club (Worth Co.)	WR	100	3-18-97
Larchwood, City of	WR	100	3-18-97
Ballard Golf & Country Club (Story Co.)	WR	100	3-23-97
Kalona Golf Club, Inc. (Kalona)	WS	750	3-18-97
Deer Ridge Estates (Ottumwa)	WS	100	----
Wayne Johnson (Rockford)	AQ/SW	1,000	----
Bellevue Golf Club, Inc. (Bellevue)	WS	2,200	----

Al's Fisherman's Wharf (Dubuque)	WS	500
<b>TOTAL</b>		<b>119,020</b>

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Jody Beaver (Cedar Co.)	AQ/SW	2,000	5-27-95
Steven Mullane d/b/a S & S Landscaping (Madison Co.)	AQ/SW	2,000	2-14-96
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
<b>TOTAL</b>		<b>30,479</b>	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Charles Kerr (Sloan)	UT	600
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)	UT	10,000
Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)	UT	3,500
Elite, Ltd.; Roger Kanne; James Pietig (Logan)	UT	3,288
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Galva Union Elevator Co. (Galva)	UT	3,100
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)	UT	3,000

Tom Wiseman (Sheffield)	UT	3,500
Village Oaks Homeowners Assn. (Blue Grass)	WS	550
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Boomsma's Egg, Inc. (Alden/Galt)	AQ	10,000
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Richard Beckett (Villisca)	UT	1,300
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Allison Fire Dept.; Allison, City of	AQ	5,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
White Oaks Homeowners Assn. (Ankeny)	WS	1,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	AQ/SW	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	10,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Bill Shirbroun d/b/a Was Broken Pallet (Webster Co.)	AQ/SW	1,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Jolly Roger Campground & Marina (North Liberty)	WW	1,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800

Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Edward Bodensteiner (Des Moines)	UT	3,200
Dallas County Care Facility (Adel)	WW	2,500
#Marlin Brenneman (Iowa Co.)	WW	3,000
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
#C & I Eggs (Webster Co.)	WW	3,000
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Becker Gravel Company, Inc. (Stratford)	WW/FP	3,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Leroy Navratil d/b/a Navratil Excavating (Plymouth)	AQ/SW	600
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
#Don Ridenour (Keokuk Co.)	WW	500
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Iowa Tanklines, Inc. (Des Moines/Webster City)	UT	1,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000
#Rod Bice (Boone Co.)	WW	500
<b>TOTAL</b>		<b>421,503</b>

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
R & M Feed Mill Corp.; Ronald Stanton (Schaller)	UT	600
# Gary Watson (Cerro Gordo Co.)	WW	50
# Jeff Pitkin (Winnebago Co.)	WW	3,000
Franklin Raymond (Pacific Junction)	UT	100
#Hennings Farm Corp. (Benton Co.)	WW	5,000
Cumberland Ridge First Addition (North Liberty)	WS	275
Perry, City of (STIPULATED PENALTY)	WW	2,300
William Hatch d/b/a R&R Convenience Store (Central City)	UT	100

Immanuel Lutheran Church and School (Readlyn)	WS	100
Martin Marietta Aggregates (Humboldt Co.)	WR	100
Martin Marietta Aggregates (Marshall Co.)	WR	100
Martin Marietta Aggregates (Story Co.)	WR	100
Rock Valley, City of	WR	50
King Transfer, Ltd.; George B. King (Onawa)	UT	300
Stickle Farms, Inc. (Linn Co.)	WW	4,800
Solvay Animal Health, Inc. (Floyd Co.)	WR	100
Geils Oil Company; Lawrence P. Geils (Donnelson)	UT	700
All-States Quality Foods (Charles City)	WW	500
Emerald Hills, L.C. (Dickinson Co.)	WR	50
*Orville Long (Polk Co.)	SW	50
Otis Schultz d/b/a Schultz Oil Co. (Sac City)	UT	100

**TOTAL 18,475**

The \$500 penalty assessed Kurt & Mary Marzonfka and John & Shirley Riordan (Sabula) was withdrawn 12/31/96.

Ron Mumby (AG Referral) has been removed from the penalty report. \$2,000 penalty uncollectable.

The \$2,000 penalty assessed Dan Dooley (Des Moines) has been withdrawn.

The \$375 penalty assessed Yarmouth Elementary School (Mediapolis) was withdrawn 7/1/96.

The \$425 penalty assessed Delano's Lounge (Washington) has been waived.

The \$125 penalty assessed The Marley Pump Co. (Davenport) has been waived.

The \$275 penalty assessed Kilpeck Mobile Home Park (Muscatine) has been waived.

The \$550 penalty assessed Dallas County Care Facility (Adel) has been waived.

### ATTORNEY GENERAL REFERRALS February 1, 1997

Name, Location & Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred	5/29/96
Beaver, Jody Cedar Co. (6)	Solid Waste Air Quality	Illegal Disposal Open Burning	Order/Penalty	Referred	7/28/95
DeCoster, A.J. Wright Co. (2) Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Defendant's Pre-Answer Motions Filed State's Resistance Filed Order Denying Defendant's Motion Defendant's Motion for Separate Trials State's Resistance Filed	7/17/95 1/23/96 3/06/96 3/27/96 4/12/96 4/19/96 4/29/96

Defendant's Answer	5/01/96
Defendant's Reply to Resistance	5/06/96
State's Supplement to Resistance	5/30/96
State Brief	5/31/96
Hearing on Motion for Separate Trials	6/03/96
Order Denying Defendant's Motion	6/28/96
Defendant's Motion to Compel	10/03/96
State's Motion to Extend Pleadings	10/15/96
Hearing	10/21/96
Order Denying Defendant's Motion	10/28/96
Order Granting State's Motion	10/28/96
Defendants Motion for Reconsideration	11/06/96
Order Denying Defendant's Motion	11/21/96
State's Motion to Compel	11/27/96
Hearing	12/20/96
Order Granting State's Motion	12/20/96
Trial Date	1/28/97- 2/4/97

DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	8/19/96 11/25/96
DeCoster, Austin J. Sow Unit #1 (2) NEW	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	1/22/97
Economy Solar Corp. Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
Economy Solar Corp./Central Community School DeWitt (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	7/17/95 1/03/97
Economy Solar Corp. Cedar Rapids (1)	Air Quality	Penalty Collection	Order/Penalty	Referred	6/17/96
ESCORP/Cryotech Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	7/17/95
ESCORP Associates, Ltd; Arnold Olson Cedar Rapids (1)	Air Quality	Asbestos	Order/Penalty	Referred	9/16/96
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed	12/18/95 4/18/96

Humiston, Fred d/b/a Cedar River Trailer Park Letts (6)	Drinking Water	MCL-Nitrate	Referred to Attorney General	Referred	9/16/96
Huyser, James; Trust Trucking Lovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed	11/21/94 4/18/96
Lee, Harold and Evelyn Keokuk Co. (6)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	10/16/95 5/16/96
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
McKernan, Brian d/b/a Hickory Grove Mobile Home Park Roland (5) NEW	Wastewater	Discharge Limits; Monitoring & Reporting	Order/Penalty	Referred	1/22/97
Mullane, Steven A. d/b/a S & S Landscaping Services Des Moines (5) NEW	Solid Waste Air Quality	Illegal Disposal; Open Burning	Order/Penalty	Referred	1/22/97
Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring/Reporti ng; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Underground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Papetti's of Iowa Food Products, Inc. Taylor Co. (4) NEW	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	1/22/97
Postville Pork Postville (1)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	5/20/96
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Default Judgment	6/20/94 8/10/94 12/12/94



Relative, Inc.; Doug Smuck Des Moines (5)	Underground Tank Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
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Underwood, Paul d/b/a Underwood Excavating and Demolition Cedar Rapids (1)	Air Quality Asbestos	Order/Penalty	Referred Motion for Judgment	5/15/95 8/15/96
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### CONTESTED CASES February 1, 1997

<u>Date Received</u>	<u>Name of Case</u>	<u>Action Appealed</u>	<u>Program</u>	<u>Assigned To</u>	<u>Status</u>
1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	Draft consent order under review by EPA.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	EPD considering public hearings. District court suit filed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-2/96.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler)
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
10-15-90	Westside General Store Corp.	Admin. Order	UT	Womson	Evaluating inability to pay - UST fund eligibility by county.
12-03-90	United States Gypsum Co.; Smitty's Oil	Site Registry	HC	Preziosi	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing slowly due to illness.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal. Facility to be installed by 10/30/94. Letter to attorney regarding appeal closure. Response requested by 6/2/96 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Womson	Settlement letter sent 8/31/94. SCR completed. Low risk monitoring site.
4-24-92	Charles A. Kerr	Admin. Order/Penalty	UT	Womson	Financial inability claimed. Warning letter sent 1/25/95. No response.
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.

5-27-92	Beckett Chevrolet-Olds	Admin. Order	UT	Wornson	Financial inability claimed. Claimant completing financial documents.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw County Sanitary Landfill	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Letter regarding budget sent 12/19/95. Letter regarding budget and work plan received 5/14/96.
8-06-92	Randy Bonin and Vickie Brannick	Admin. Order/Penalty	SW	Kennedy	Clean-up progress is slow. Appellant's attorney to reply by 8/1/96.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Insufficient documentation.
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting data. Company response submitted 12/93. EPD to review information regarding permit calculations.
1-22-93	Pirelli Armstrong Tire Co.	Admin. Order/Penalty	SW	Kennedy	F.O. 5 to meet with company 2/26/96 regarding land application.
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable schedule - 1/31/96. Schedule received; under review by WW Permits.
4-19-93	Council Bluffs, City of	Permit Conditions	WW	Hansen	8/96 - Letter to City in attempt to resolve appeal. 10/96 - Response from City. 11/96 - Letter from City regarding appeal. 1/9/97 - Settlement offer sent to City.
4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
4-26-93	Crane Co.	Admin. Order/Penalty	SW	Kennedy	DNR engineers meeting with company.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued.
7-06-93	Dennis E. Good	Admin. Order	UT	Wornson	Compliance initiated 12/23/96.
7-28-93	Berniece K. Nease				
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal resolution. Response requested by 6/2/96. 5/30/96 - Response received indicating compliance and requesting waiver of penalty. 9/30/96 Request for waiver of penalty denied. Facility attorney to submit new proposal.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Wornson	Settlement expected. SCR submitted. Revision required under RBCA.
7-20-93	U S Dept of Defense	Admin. Order/Penalty	UT	Wornson	SCRs on the site and several others in Sioux City under review.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Awaiting summary of issues from attorney.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-14-94	Economy Solar Corp. (94AQ04)	Admin. Order/Penalty	AQ	Preziosi	Judicial review decision received in favor of DNR. No further appeal filed. Sent to AG for collection.
2-28-94	Coastal Mart - Davenport	Admin. Order/Penalty	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by 6/28/96. Follow-up letter sent.
3-08-94	Cotntry Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig (Logan) (Coon Rapids)	Admin. Order/Penalty	UT	Wornson	All SCRs received. Proposal for compliance sent 8/13/96. Response due 11/15/96.
4-19-94	Galva Union Elevator Co.	Admin. Order/Penalty	UT	Wornson	Negotiating penalty.
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. No closure as of 2/96.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Insurance to qualify for remedial benefits unpaid. Issued second Admin. Order for failure to have financial responsibility. Tanks closed.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to
6-24-94	Larence Otto	Admin. Order/Penalty	UT	Wornson	Settled. Awaiting penalty payment.

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7-07-94	Rose Bar Tire Shredding	Admin. Order	SW	Kennedy	In bankruptcy. 1/96 Working on fire lanes. Sold - limited processing.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Womson	Appeal untimely. Follow-up letter sent. Response due 9/96. Attny. response due 2/97.
7-15-94	Village Oaks Homeowners	Admin. Order/Penalty	WS	Hansen	WS reviewed file for compliance 2/96 - in compliance and eligible for reduced monitoring 1/97 - Settlement offer to facility.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Womson	Inability to pay. Failed to return required documentation. Follow-up letter - 8/96.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Womson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Womson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding reorganization 1/23/96.
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Admin. Order/Penalty	UT	Womson	Consent order SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free produce removal.
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Settlement offer made 1/23/96. FO rejected offer.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report.
10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Womson	Inability to pay documented. County took tax deed. Contact regarding UST fund.
10-26-94	Boomsma's Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
10-31-94	Owens & Owens Realty, Inc.; Keith Owens; Howard Maurer	Admin. Order/Penalty	UT	Womson	Proposed decision 10/5/95. Appealed 11/3/95. EPC confirmed 2/19/96. Decision appealed 3/29/96. District Court for judicial review. Fund eligible.
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Womson	Inability to pay - request documentation.
11-28-94	Richard Beckett	Admin. Order/Penalty	UT	Womson	Referral to UST Fund. Follow-up - 3/96.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding settlement. 5/95 - construction approved by WS section for chlorination equipment. 1/17/96 - Letter to City regarding resolution of appeal. No response as of 2/28/96. Dept. follow-up letter - 3/96. Response from City 4/8/96. Amended order issued 8/30/96.
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer made. FO rejected offer.
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Womson	Inability to pay. Forms sent. No response. Follow-up - 3/96. 1/97 - County interested in tax deed.
1-13-95	Simonsen Industries, Inc	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff.
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96.
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	Settlement meeting held 5/23/96. Facility to submit written proposal.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Phone conversation 1/23/96 regarding reorganization.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
4-19-95	Otis Schultz d/b/a Schultz Oil Co.	Admin. Order/Penalty	UT	Womson	SCR accepted. Penalty settlement letter sent 8/26/96.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Kennedy	Hearing set for 3/7/97. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.

5-30-95	Economy Solar Corp.; Jeffrey C. Intlekofer (95-AQ-14)	Admin. Order/Penalty	AQ	Preziosi	Order rescinded.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	In the process of clean-up.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-07-95	Cumberland Ridge Homeowners	Admin. Order/Penalty	WS	Kennedy	Penalty paid 1/14/97. Settled..
6-09-95	Don Peterson d/b/a Peterson Backhoe	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting final penalty payment.
6-16-95	Allison Fire Dept.; City of Allison	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	Site clean-up proceeding.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Penalty settlement due 7/30/96.
6-29-95	White Oaks Homeowners Assn.	Admin. Order/Penalty	WS	Hansen	Informal meeting held 3/8/96. 4/25/96 follow-up letter to facility. 5/96 - Facility response received. Meeting held 6/96 Facility to provide signed agreement by 8/31/96 for new water source that meets MCL requirements. Facility working with Des Moines regarding connection to that WS and with Polk Co. to obtain funding through special assessment.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96.
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Womson	Tanks removed. Report due.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Womson	SCR received - rejected. Review progress - 4/96.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	New Admin. Order issued 11/15/96.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Womson	Negotiating before filing.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Womson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-18-95	Redmond Enterprises, Inc.	Admin. Order	UT	Womson	Compliance initiated.
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information. 6/96 - additional information received by WS staff for review. 7/96 - Request for variance, as modified, granted. 8/96 - Construction permit for new well granted 10/96 - Letter to engineer regarding dismissal of appeal.
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be requested.
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing continued. No new date set.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Settlement close.
11-14-95	Mike Barker	GW Professional Denial	UT	Womson	Settlement negotiations underway.
11-21-95	Gary Watson	Admin. Order/Penalty	WW	Clark	Settlement letter sent 12/6/96; first monthly payment due 1/1/97. 1/7/97 - Settled.
12-12-95	Vernon Kinsinger; K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Informal meeting held. Working with F.O. #6.
12-13-95	Roy Burger	Admin. Order/Penalty	UT	Womson	Compliance complete - negotiating penalty.
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-28-95	Site Services, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Womson	Current owner to complete SCR.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6/.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing.

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1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-17-96	All-States Quality Foods, L.P.	Admin. Order/Penalty	WW	Murphy	Penalty paid 1/29/97. Settled.
1-19-96	Bill Shirbroun d/b/a Was Broken Pallet	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Medora Store	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
1-24-96	Jolly Roger Campground	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley - Knoek - d/b/a Knoek's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 5/30/96.
1-30-96	Dean Williams d/b/a Williams Oil	Admin. Order/Penalty	UT	Wornson	Compliance initiated.
2-06-96	Russell Stagg	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
3-04-96	Edward Bodensteiner	Admin. Order/Penalty	UT	Wornson	Hearing held 11/7/96. Brief submitted. ALJ decision received - no appeal.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-11-96	Marlin Brenneman	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section.
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Negotiating before filing.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscataine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
4-19-96	C & I Eggs	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review.
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Negotiating before filing.
5-29-96	Champion Intl. Corp.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance Denial	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
6-17-96	Winsor Oil Co., Inc.; Joyce Winsor	Admin. Order/Penalty	UT	Wornson	Hearing set for 2/20-21/97. Compliance initiated. CADR received.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification Denial	SW	Kennedy	Negotiating before filing.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
7-08-96	Becker Gravel Co., Inc.	Admin. Order/Penalty	WW/FP	Clark	Negotiating before filing.
7-11-96	Ron Rupe	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing. 12/19/96 - one party deceased. Closed.
7/17/96	Richard L. Magdefrau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/02/96	Gene Hammen d/b/a Maple Grove Hog Producers	Permit Denial	WW	Clark	Hearing held 9/23/96.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.

8/23/96	Waste Management & Design (Monfort)	Admin. Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Wornson	Closed facility. Negotiating penalty.
8/30/96	LeRoy E. Navratil	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/04/96	Osborne Outdoor Education Center	Admin. Order	WS	Hansen	12/2/96 - F.O. 1 report sent to facility regarding sanitary survey. 12/27/96 - letter sent regarding settlement of appeal. 1/7/97 - Letter from Center withdrawing appeal. Settled.
10/11/96	DeCoster Farms of Iowa (96-WW-32)	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	Permit Revocation	WW	Clark	Hearing continued indefinitely.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
10/28/96	Holliman Ltd.	Admin. Order/Penalty	SW/WW	Murphy	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M Woodshavings	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/05/96	Marvin Low d/b/a Low's DX	Admin. Order/Penalty	UT	Wornson	New case. Tanks temporarily closed. Negotiating penalty.
11/07/96	Don Ridenour	Admin. Order/Penalty	WW	Clark	Negotiating before filing..
11/07/96	Todd L. Salow	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/08/96	Caseys General Stores, Inc.	Mean Time to Corrosion Failure	UT	Wornson	Request for informal settlement.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Kennedy	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Sent to DIA.
12/05/96	Organic Technologies Corp -----91-SDP-02-94P	Admin. Order/Penalty Intended Permit Revocation	SW	Murphy	Sent to DIA.
12/11/96	Ames, City of	Denial of Waiver	WS	Hansen	Hearing set for 2/24/97.
12/20/96	Rock Valley, City of	Admin. Order/Penalty	WR	Clark	Penalty paid. Settled.
1/02/97	Ruan Leasing Co, aka Ruan Transportation Management Systems	Admin. Order	AQ	Preziosi	New case.
1/20/97	Iowa Tanklines, Inc.	Admin. Order/Penalty	UT	Wornson	New case.
1/22/97	Rock Island District Corps of Engineers	401 Certification Denial	WQ	Murphy	New case Sent to DIA.
1/23/97	Rod Bice	Admin. Order/Penalty	WW	Clark	New case.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage & Demolition, Clara Lindstadt	Admin. Order/Penalty	SW/AQ	Kennedy	New case.

Mr. Stokes reviewed the monthly reports.

Brief discussion followed.

INFORMATIONAL ONLY
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## PUBLIC PARTICIPATION

Gary Hoskey (hog confinement rules)

Gary Hoskey, Iowa Farmers Union, addressed the Commission stating that his organization has worked with others on the hog issues. He read the following written statement on behalf of the Iowa Farmers Union:

"I'm here today representing the Iowa Farmers Union.

I'm here today because the state of Iowa must again deal with huge expansions of industrialized livestock operations. ~~There is a widely held perception that A.J. DeCoster can no longer construct new facilities in the state of Iowa. Unfortunately this is not the case.~~

An administrative order from the Department of Natural Resources (DNR) last May prohibited A.J. DeCoster from receiving any additional construction or expansion permits from the DNR for his livestock facilities. The ensuing study of 14 DeCoster lagoons conducted by the Geological Survey Bureau revealed that all 14 had significant erosion problems, all 14 were built below the water table, and all 14 had significant sand deposits.

However, because of a loose definition in the rules to administer HF 519, Decoster may be moving ahead with expansion plans which allow him to site facilities with 12,000 hogs on only 160 acres, without a permit from the DNR.

House File 519 includes a provision which was designed to prevent an industrial-sized operator from siting more than one facility adjacent to one another on a small parcel of land in an attempt to avoid the permit process.

The DNR recommended adopting a tight definition of adjacency to the EPC in 1995. Many environmental groups, the Iowa Farmers Union, PrairieFire Rural Action, Iowa Citizens Action Network all urged the EPC to adopt a tight definition. During the public comment phase of the process, comments from sixteen different individuals were submitted calling for a tight definition of adjacency, many from hog producers. Only one comment was received asking for the loose definition.

The rules recommended by the Animal Agriculture Consulting Organization were very lenient. The argument was presented to the EPC by an individual who only months later took a position as a spokesperson for DeCoster.

Now DeCoster plans to use this weak definition to construct new facilities.

Because he is not required to obtain a permit to build the 12 buildings on only 160 acres, DeCoster doesn't need DNR approval before constructing the new operations. Therefore, he isn't required to provide engineer certification that the facility is built properly. In addition he isn't required to file a manure management plan to be reviewed by the DNR and he isn't required to pay into the state indemnity fund to help counties clean up abandoned facilities. In fact, DeCoster isn't required to receive permission from any officials on the local, state, or federal level.

I am here today to submit over 500 signatures from people asking the EPC to tighten this definition.

To be effective, the state must carefully determine who is required to obtain a permit. *Tightening the definition of "adjacent" would not affect farmers producing less than the permit threshold. No farmer would face limits on the number of animals that could be raised on any farm.* Simply put, tightening the definition would **require operators above the permit threshold to obtain a permit.**

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This loose definition is already being utilized by large-scale industrial operators near Emmetsburg and Iowa Falls. Unless action is taken soon it will be utilized by DeCoster in many locations throughout Iowa. Plans are already underway in certain locations.

We need your action to tighten this definition to put some minimal requirements on these new facilities.

Thank you for your time and consideration of this extremely important matter."

### **AIR QUALITY PROGRAM STATUS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be given an update on various issues relative to the Air Quality Program. These will include a staffing update, budget update, update on implementation of the file imaging system, update on status of move to Ingram Building, rule development update and other programmatic issues.

The Commission will be provided written update information under separate cover prior to the Commission meeting.

Mr. Stokes distributed copies of a list of Air Quality Staff Site Visits. He briefed the commission on details of the Client Group Meeting held last Thursday. He discussed average permit turn around time. Mr. Stokes noted that the new modeling policy has been implemented. He stated that Linda King was hired by the Department of Economic Development to provide the function of Small Business Liaison for Air Quality Affairs.

<b>INFORMATIONAL ONLY</b>
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### **ELECTRONIC DATA INTERCHANGE SECURE INTERNET CONNECTION**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.



The Commission will be briefed regarding a proposed \$94,000 purchase of computer hardware and software necessary to allow the Air Bureau to proceed with making electronic data files and images available on via Internet for viewing as well as computer to computer electronic filing of permit applications and data. This would be the first expense under the \$400,000 EDI contract budget item under the Air Program budget.

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~~This hardware and software is necessary to provide data security measure, commonly referred to as a "firewall" along with communication capabilities to allow external parties to access data files and file images resident on DNR computers over the Internet. These security measures are necessary to ensure that files and data which are or may be confidential materials under state law cannot be accessed, and that data which is public domain and should be available to public access cannot be destroyed or improperly altered either accidentally or intentionally by outside parties. These security measures also are intended to ensure that persons cannot gain unauthorized access to similar files of other agencies through the air quality computer system.~~

It was originally planned to use public domain software and existing hardware to provide Internet access to air quality data and image files. We expected that demand would eventually overwhelm this equipment but planned to base any future purchases based on actual usage. The State of Iowa recently implemented new security policies which effectively closed off this option.

This purchase will allow us to make data and image files available over the Internet as well as receive computer to computer electronic submission of permit applications and data in a manner consistent with State data access security policies.

Mr. Stokes reviewed details of the item and distributed copies of a Firewall Software Summary.

Brief discussion followed.

<b>INFORMATIONAL ONLY</b>
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## **NOTICE OF INTENDED ACTION--CHAPTER 22 AND 23, AIR EMISSION GUIDELINES FOR MUNICIPAL SOLID WASTE LANDFILLS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached Notice of Intended Action to amend Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," 567 Iowa Administrative Code.

This rule proposes to adopt federal emission guidelines and compliance schedules for existing municipal solid waste landfills established in 40 CFR Part 60 Subpart Cc. This proposed rule

adopts federal language with minor revision to identify affected sources and IDNR as the implementing agency. No substantive changes have been made to the language in the federal rule, and all opportunities for sources to utilize flexible compliance opportunities have been retained.

Existing municipal solid waste landfills are those which commenced construction, reconstruction, or modification prior to May 30, 1991, and have accepted waste any time since November 8, 1987. ~~This type of landfill may receive household waste, and various other RCRA~~ Subtitle D wastes (such as commercial solid wastes and nonhazardous sludge). If a landfill's maximum design capacity is less than 2.5 million megagrams (or metric tons) by mass (2.8 million tons (short)) or 2.5 million cubic meters by volume (7.5 acres at 25 ft depth), this rule does not apply.

Changes have been made since this draft was presented for information in January, 1997. In item 2, language has been added to clarify when design capacity reports must be submitted to IDNR, and that nonmethane organic compound emission rate calculations must be submitted with the design capacity report when the landfill's capacity exceeds 2.5 million megagrams or 2.5 million cubic meters. Also an established date replaced the language, "30 months from the effective date of the state standard," for when planning, awarding of contracts, and installation of MSW landfill air emission collection and control equipment must be accomplished.

### **ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action**

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," 567 Iowa Administrative Code.

Item 1 adds the requirement that sources subject to emission guidelines must obtain a Title V permit (as required in subrule 567--22.101(1)) unless specifically exempted in the emission guideline.

Item 2 adds the emission guidelines and compliance schedule for existing municipal solid waste landfills to 567--23.1.

Any person may make written suggestions or comments on the proposed rules on or before \_\_\_\_\_. Written comments should be directed to Scott Vander Hart, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Avenue, Suite 1, Urbandale, IA 50322, FAX (515) 242-5094.

A public hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in \_\_\_\_\_, at which time comments may be submitted orally or in writing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility, should contact the Department of Natural Resources to advise the Department of any specific needs.

These amendments may impact small business.

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are proposed.

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ITEM 1. Amend subrule 22.101(1).

22.101(1) Except as provided in subrules 22.102(1) and 22.102(2), any person who owns or operates any of the following sources shall obtain a Title V operating permit:

- a. Any affected source subject to the provisions of Title IV of the Act;
- b. Any major source;
- c. Any source subject to a standard or other requirement under 567--subrule 23.1(2) (standards of performance for new stationary sources) or section 111 of the Act; ~~or 567--subrule 23.1(3) (emission standards for hazardous air pollutants)~~ or section 112 of the Act, except that a source is not required to obtain a permit solely because it is subject to provisions of section 112(r) of the Act; or 567--subrule 23.1(5) (emission guidelines) unless the source is specifically exempted under the subrules listed in this paragraph;

d. Any solid waste incinerator unit required to obtain a Title V permit under section 129(e) of the Act;

e. Any source category designated by the administrator pursuant to 40 CFR 70.3 as amended through June 25, 1993.

ITEM 2. Insert the following new subrule 567--23.1(5), and renumber subrule 567--23.1(5) as 23.1(6).

23.1(5) *Emission Guidelines*

a. *Emission Guidelines for Municipal Solid Waste Landfills.* Emission guidelines and compliance times for the control of certain designated pollutants from certain designated municipal solid waste landfills in accordance with federal standards established in section 111(d) of the Act and 40 CFR Part 60 subparts B, Cc, and WWW.

(1) *Definitions.* For the purpose of 567--paragraph 23.1(5)"a", the definitions have the same meaning given to them in the Act and 40 CFR Part 60 subparts A, B, and WWW, if not defined in this subparagraph.

"Municipal solid waste landfill or MSW landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill or a lateral expansion.

(2) *Designated facilities.*

1. The designated facility to which the emission guidelines apply is each existing MSW landfill for which construction, reconstruction or modification was commenced before May 30, 1991.

2. Physical or operational changes made to an existing MSW landfill solely to comply with an emission guideline are not considered a modification or reconstruction and would not subject an existing MSW landfill to the requirements of 40 CFR Part 60 subpart WWW [40 CFR 60.750].

(3) *Emission guidelines for municipal solid waste landfill emissions.*

1. MSW landfill emissions at each MSW landfill meeting the following three conditions shall be controlled:

~~The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition;~~

The landfill has a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters, which must be provided to the administrator in a design capacity report by November 18, 1997. The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented and submitted with the report; and

The landfill has a nonmethane organic compound (NMOC) emission rate of 50 megagrams per year or more. If the MSW landfill's design capacity exceeds the established thresholds in paragraph 1 under subparagraph 23.1(5)"a"(3), the NMOC emission rate calculations must be provided with the design capacity report.

2. The installation of a collection and control system shall meet the conditions provided in 40 CFR 60.752(b)(2)(ii) at each MSW landfill meeting the conditions in paragraph 1 under subparagraph 23.1(5)"a"(3).

3. MSW landfill emissions collected through the use of control devices must meet the following requirements, except as provided in 40 CFR 60.24:

An open flare designed and operated in accordance with the parameters established in 40 CFR 60.18; a control system designed and operated to reduce NMOC by 98 weight percent; or an enclosed combustor designed and operated to reduce the outlet NMOC concentration to 20 parts per million as hexane by volume, dry basis at 3 percent oxygen, or less.

(4) *Test methods and procedures.* The following must be used:

1. The calculation of the landfill NMOC emission rate listed in 40 CFR 60.754, as applicable, to determine whether the landfill meets the condition in paragraph 3 under subparagraph 23.1(5)"a"(3);

2. The operational standards in 40 CFR 60.753;

3. The compliance provisions in 40 CFR 60.755; and

4. The monitoring provisions in 40 CFR 60.756.

(5) *Reporting and recordkeeping guidelines.* The recordkeeping and reporting provisions listed in 40 CFR 60.757 and 60.758, as applicable, except as provided under 40 CFR 60.24, shall be used.

(6) *Compliance times.*

1. Except as provided for under subparagraph 23.1(5)"a"(6)2, planning, awarding of contracts, and installation of MSW landfill air emission collection and control equipment capable of meeting the emission guidelines established under subparagraph 23.1(5)"a"(3) shall be accomplished by February 20, 2000.

2. For each existing MSW landfill meeting the conditions in paragraph 1 of subparagraph 23.1(5)"a"(3) whose NMOC emission rate is less than 50 megagrams per year on August 20, 1997, installation of collection and control systems capable of meeting emission

guidelines in subparagraph 23.1(5)"a"(3) shall be accomplished within 30 months of the date when the condition in paragraph 1 under subparagraph 23.1(5)"a"(3) is met (i.e., the date of the first annual nonmethane organic compounds emission rate which equals or exceeds 50 megagrams per year).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry J. Wilson, Director

Mr. Stokes reviewed the rules in detail. He distributed copies of a list of Iowa landfills that might be impacted by the rule.

*Motion was made by Charlotte Mohr to approve Notice of Intended Action--Chapters 22-23, Air Emission Guidelines for Municipal Solid Waste Landfills. Seconded by Terrance Townsend. Motion carried unanimously.*

**APPROVED AS PRESENTED**

Charlotte Mohr asked if only one public hearing would be adequate.

Mr. Stokes stated that he believes one hearing would be enough, given the number and distribution of facilities.

#### **APPOINTMENT - ROB JAHRIES (UTAH TIRE RECYCLING)**

Rob Jahries, Utah Tire Recycling, addressed the Commission expressing concerns about many collectors who collect tires but do not process them. He related that it is difficult to compete against them because they do not have any processing fees or end markets for the scrap tires. He circulated photos of one facility in particular, Tire Chop of Fort Dodge, showing a large number of tires stored outside. Mr. Jahries stated that Tire Chop is not processing tires and he would like the Commission to make them accountable for their permit and outside storage. Mr. Jahries noted that he never has more than 2,000 tires on his own property at one time.

Discussion followed regarding compliance matters and fines against Tire Chop. Also discussed the amount of money a dealer receives for the tires and the transport costs.

Chairperson King noted that the Commission will further discuss the tire issue under the General Discussion item later in the meeting.

**SECTION 319 NONPOINT SOURCE POLLUTION CONTROL PROJECT CONTRACT**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

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Commission approval is requested for three contracts for nonpoint source (NPS) pollution control projects. The contracts will be for January through September '97 activities of multi-year NPS projects. Funds for the contracts will be from EPA Section 319 grants awarded to the Department specifically for these projects. Funding from other state and federal programs will also be used to support activities in many of these projects.

The project sponsors, contract amounts, project descriptions and activities supported with Section 319 funds are provided below.

- **Three Mile Lake Demonstration Watershed Project - Iowa State University Extension Service (ISUE) - \$37,190** The contract will be for the third year activities of a three year project to implement an information marketing strategy to accelerate and widen the impact of interagency efforts in the Three Mile Lake Demonstration Watershed Project. The project will protect the water quality of Three Mile Lake by promoting voluntary adoption of refined crop and livestock management practices that reduce agricultural nonpoint source contributions to the lake. Contract funds will be used to support a part-time extension communication specialist position, located at the Union County Extension office, to carry out the project activities. The communications specialist will work with project staff of other cooperating agencies and with ISUE water quality communications staff to disseminate information concerning agricultural nonpoint source pollution control activities conducted as part of the Demonstration Watershed Project. Additional project activities include development of bimonthly newsletters, brochures, self-guided field tours, news releases, and poster and slide presentation.
- **NW Iowa Agribusiness ICM Project - Iowa State University - \$87,372** This is the second year of a multi-year project to support an agribusiness dealer training-demonstration program in northwest Iowa. The project is intended to make the delivery of intensive, unbiased integrated crop management (ICM) services by agribusiness a reality. The project will assist cooperatives and independent dealers in a nine county area of northwest Iowa in developing the capacity to deliver reliable, profitable ICM assistance services to their customers. Project goals include assisting 50% of the northwest Iowa dealers in implementing fee-based ICM services, implementing ICM on 25% of the row crop acres in the targeted area, and reducing fertilizer and pesticide use by 20% or more. Major project activities include developing a guidance document for water quality resource assessment; conducting a training program with workshops; conducting tours and field laboratory sessions; and providing project information, education and business management materials, soil surveys, and soil survey

analysis reports. Contract funds will be used to hire expert crop consultants as needed and to support the information and education components of the project.

- **Demonstration of Constructed Wetland Technology for Water Quality Enhancement in the Raccoon River Watershed - Raccoon River Watershed Project - \$48,100** This is the first year of a three year project to increase the public's awareness and acceptance of constructed wetland technology as a management practice that can be implemented to protect and improve water quality of the Raccoon River. Sites will be located throughout the Raccoon River watershed to demonstrate the benefits of constructed wetland technology to remediate nitrates from tile drainage water. Contract funds will provide technical and financial assistance to establish the demonstration sites. An information education program will be conducted in addition to a monitoring program to evaluate and verify the changes in water quality.

Mr. Stokes explained details of the contracts.

*Motion was made by William Ehm to approve the Section 319 Nonpoint Source Pollution Control Project Contracts as presented. Seconded by Rita Venner. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **STATE REVOLVING FUND - INTENDED USE PLAN, 1997**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Department requests commission authorization to hold a public hearing on the proposed State Revolving Fund Intended Use Plan for the State of Iowa, for fiscal year 1997 revolving fund loan assistance for wastewater treatment construction.

The draft Intended Use Plan was distributed at to the commission at its January meeting. The FY 1997 Intended Use Plan includes the list of projects proposed to receive loan assistance through the state revolving fund with money available for 1997 as well as uncommitted previous years funds. Opportunity for public input is required by EPA. The IUP is the initial step in preparing a grant request for federal funds for the SRF.

All applications received to date have been included on the proposed list for assistance. If approved, a hearing would be scheduled at the earliest practicable time. Notices will be sent to all cities and interested persons or groups. A proposed final IUP will be presented to the commission for approval following the hearing and consideration of any comments or additional applications received.

(A copy of the Intended Use Plan is on file in the department's Records Center)

Mr. Stokes gave a detailed explanation of the plan. He noted that it will fund all projects except the Independence project, which was put on a contingency list.

*Motion was made by Kathryn Murphy to approve the State Revolving Fund - Intended Use Plan for 1997. Seconded by Rita Venner.*

Discussion followed regarding the public hearings and the type of comments normally received on these projects; loan repayments coming in on a timely basis; and varying discharge requirements.

*Vote on the motion carried unanimously.*

**APPROVED AS PRESENTED**

## **FINAL RULE--CHAPTER 100, SPECIAL WASTE AUTHORIZATIONS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve amendments to Chapters 100 and 102 are addressing Special Waste Authorization requirements. The amendments include deletion of the allowance for toxic and hazardous waste to be disposed of in a landfill, defines Special Waste, and establishes requirements for when a Special Waste Authorization is needed.

### **ENVIRONMENTAL PROTECTION COMMISSION [567]**

#### **Adopted and Filed**

Pursuant to the authority of Iowa Code section 455B.304, subsection 17, the Environmental Protection Commission hereby adopts amendments to Chapter 100, "Scope of Title--Definitions--Forms--Rules of Practice," and Chapter 102, "Permits," Iowa Administrative Code.

These proposed amendments will rescind the outdated special waste authorization requirements presently in the rules and adopt new requirements.

Notice of Intended Action was published in the Iowa Administrative Bulletin on November 20, 1996, as ARC 6880A. Three changes have been made to the Notice in response to comments received. The following changes were made to paragraph 102.15(2)"j."

1. The incorrect spelling of several PAHs has been corrected.
2. Phenanthrene and Pyrene were removed due to the fact that they are not considered to be carcinogenic. The Environmental Protection Agency does not include either of these in their listing of carcinogenics.
3. The 100 ppm limit for carcinogenic PAHs has been changed to 200 ppm. The 100 ppm limit is low compared to the maximum range for soils which is approximately 200 ppm.



These amendments are intended to implement Iowa Code section 455B.304.

These amendments will become effective April 16, 1997.

The following amendments are proposed.

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ITEM 1. Amend rule 567--100.2(455B,455D) by rescinding the definitions of "Industrial sludge" and "Toxic and hazardous wastes" and adopting the following new definitions:

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"Industrial process wastes" means waste that is generated as a result of manufacturing activities, product processing or commercial activities. It does not include office waste, cafeteria waste, or other types that are not the direct result of production processes.

"Pollution control waste" means any solid waste residue extracted by, or resulting from, the operation of pollution control equipment.

"Special wastes" means any industrial process waste, pollution control waste, or toxic waste which presents a threat to human health or the environment or a waste with inherent properties which make the disposal of the waste in a sanitary landfill difficult to manage. Special waste does not include domestic, office, commercial, medical, or industrial waste that does not require special handling or limitations on its disposal. Special waste does not include hazardous wastes which are regulated under the federal Resource Conservation and Recovery Act (RCRA), hazardous waste as defined in Iowa Code section 455B.411, subsection 3, or hazardous wastes included in the list compiled in accordance with Iowa Code section 455B.464.

"Toxic wastes" means materials containing poisons, biocides, acids, caustics, pathological wastes, and similar harmful wastes which may require special handling and disposal procedures to protect the environment and the persons involved in the storage, transport and disposal of the wastes.

Item 2. Rescind and reserve subrule 100.3(2).

Item 3. Amend subrule 102.15(2) as follows:

~~102.15(2) Industrial sludge and toxic hazardous waste. No industrial sludge or toxic and hazardous waste shall be delivered to nor disposed by a sanitary disposal project unless explicit instructions are first obtained from the department.~~

~~a. For procedure see 567--subrule 100.3(2).~~

~~b. Prior to the issuance of any such instructions, the department may require that a proposal for disposal of such waste in conformance with these rules, with supporting data as may be deemed necessary, be submitted by the originator of such waste for evaluation by the department. The prohibition of such waste shall continue in effect until an acceptable procedure for processing or disposal has been developed and approved.~~

~~c. All toxic or hazardous waste or industrial sludge for which instructions have been received shall be disposed according to those instructions.~~

102.15(2) Special waste authorization required.

a. No special wastes shall be delivered to or accepted by a sanitary disposal project unless authorized by a special waste authorization (SWA) issued by the department. Wastes for which an SWA has been issued shall be disposed in accordance with the instructions, conditions

and limitations contained in the SWA. Certain infectious wastes may be disposed of without an SWA if they meet the requirements of paragraph "g" of this subrule.

b. Application for a special waste authorization shall be made by submitting the form "Request for Special Waste Authorization" accompanied by supporting data as required by the department.

c. The application for a special waste authorization shall include the following information: chemical composition of the waste; physical form of the waste; volume of the waste to be disposed; and any other information required by the department.

d. Applicants are responsible for providing information, including toxicity characteristic leachate procedure (TCLP) test results, when appropriate, showing that none of the federal limits listed herein are exceeded.

<u>Arsenic</u>	<u>5.0 mg/l</u>
<u>Barium</u>	<u>100.0 mg/l</u>
<u>Benzene</u>	<u>0.5 mg/l</u>
<u>Cadmium</u>	<u>1.0 mg/l</u>
<u>Carbon Tetrachloride</u>	<u>0.5 mg/l</u>
<u>Chlordane</u>	<u>0.03 mg/l</u>
<u>Chlorobenzene</u>	<u>100.0 mg/l</u>
<u>Chloroform</u>	<u>6.0 mg/l</u>
<u>Chromium</u>	<u>5.0 mg/l</u>
<u>o-Cresol</u>	<u>200.0 mg/l</u>
<u>m-Cresol</u>	<u>200.0 mg/l</u>
<u>p-Cresol</u>	<u>200.0 mg/l</u>
<u>Cresol</u>	<u>200.0 mg/l</u>
<u>2,4-D</u>	<u>10.0 mg/l</u>
<u>1,4-Dichlorobenzene</u>	<u>7.5 mg/l</u>
<u>1,2-Dichlorethane</u>	<u>0.5 mg/l</u>
<u>1,1-Dichlorethylene</u>	<u>0.7 mg/l</u>
<u>2,4-Dinitrotoluene</u>	<u>0.13 mg/l</u>
<u>Endrin</u>	<u>0.02 mg/l</u>
<u>Heptachlor (and its Hydroxide)</u>	<u>0.008 mg/l</u>
<u>Hexachlorobenzene</u>	<u>0.13 mg/l</u>
<u>Hexachloro-1, 3-Butadiene</u>	<u>0.5 mg/l</u>
<u>Hexachloroethane</u>	<u>3.0 mg/l</u>
<u>Lead</u>	<u>5.0 mg/l</u>
<u>Lindane</u>	<u>0.4 mg/l</u>
<u>Mercury</u>	<u>0.2 mg/l</u>
<u>Methoxychlor</u>	<u>10.0 mg/l</u>
<u>Methyl ethyl ketone</u>	<u>200.0 mg/l</u>
<u>Nitrobenzene</u>	<u>2.0 mg/l</u>
<u>Pentachlorophenol</u>	<u>100.0 mg/l</u>
<u>Pyridine</u>	<u>5.0 mg/l</u>
<u>Selenium</u>	<u>1.0 mg/l</u>
<u>Silver</u>	<u>5.0 mg/l</u>

<u>Tetrachloroethylene</u>	<u>0.7 mg/l</u>
<u>Toxaphene</u>	<u>0.5 mg/l</u>
<u>Trichloroethylene</u>	<u>0.5 mg/l</u>
<u>2,4,5-Trichlorophenol</u>	<u>400.0 mg/l</u>
<u>2,4,6-Trichlorophenol</u>	<u>2.0 mg/l</u>
<u>2,4,5-TP (Silvex)</u>	<u>1.0 mg/l</u>
<u>Vinyl Chloride</u>	<u>0.2 mg/l</u>

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e. The waste must contain no free liquids as determined by the paint filter liquids test.

f. The waste must not be a listed hazardous waste or meet the criteria for characteristic hazardous waste pursuant to the federal Resource Conservation and Recovery Act (RCRA).

g. Infectious waste which is generated and treated at a medical clinic, doctor's office, nursing care facility, health care facility, dentist's office or other similar facility may be placed with regular municipal solid waste and not handled in a special way if it is rendered nonpathological, does not contain free liquids, and sharps are shredded, blunted, granulated, incinerated or mechanically destroyed. The generator of the infectious waste must notify the waste hauler and the sanitary landfill that infectious waste is being placed with regular municipal solid waste and, with the notice, certify that the infectious waste is properly treated in accordance with the requirements of this subrule.

h. Applications with supporting documentation should be sent to:

Special Waste Authorizations

Solid Waste Section

Department of Natural Resources

Henry A. Wallace Building

900 East Grand Avenue

Des Moines, IA 50319

i. Wastes with PCB concentrations equal to or greater than 50 ppm will not be authorized for disposal at a landfill.

j. Polynuclear aromatic hydrocarbon (PAH) contaminated soil will not be authorized for disposal at a landfill if the total PAH level exceeds 500 ppm for the following compounds: Acenaphthene, Acenaphthylene, Anthracene, Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(g,h,i)Perylene, Benzo(k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, Fluoranthene, Fluorene, Indeno(1,2,3-cd)Pyrene, Naphthalene, Phenanthrene, and Pyrene or if the total carcinogenic PAH level exceeds 200 ppm for the following compounds: Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene, Dibenzo(a,h)Anthracene, and Indeno(1,2,3-cd)Pyrene, or if the cyanide level exceeds 1,000 ppm.

k. Special waste authorizations may be issued for a period not to exceed three years.

l. The department may revoke an SWA for cause at any time. Such cause may include, but is not limited to, evidence that indicates the quantity or quality of the waste varies from the authorized values; evidence that the continued disposal of the waste as authorized may pose a threat to the public health or the environment, or failure to comply with any condition in the SWA.

m. The department must be notified within 30 days of any change in the quantity or quality of the wastes being disposed.

n. The holder of an SWA must apply for a desired renewal at least 30 days prior to the expiration of the SWA.

o. The issuance of an SWA does not obligate any waste disposal facility to accept the wastes nor does it preclude the facility from imposing conditions or restrictions other than those listed in the SWA.

p. The issuance of an SWA does not exempt the party disposing of the waste from any local, state or federal laws or regulations.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry J. Wilson, Director

(A copy of the Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes gave a detailed explanation of the rule.

A lengthy discussion took place regarding testing requirements and how a facility knows when they have to test; waste from coal tar sites; the PAH limit set at 500 ppm.; landfills having the right to refuse the waste; and cost for PAH tests.

Kathy Morris, ISOSWO, commented that landfill representatives worked very diligently and were pleased to be part of the process in developing the Special Waste rules. She added that they think the rules are very important and would like to see them passed as soon as possible. She related that this program works very well for the landfills of the state.

*Motion was made by Charlotte Mohr to approve Final Rule--chapter 100, Special Waste Authorizations as presented. Seconded by William Ehm.*

Terrance Townsend stated that his only concern is whether the people who have to run the tests know that they have to do it.

Mr. Stokes noted that in most cases the party will call beforehand and inquire whether an SWA is needed.

Chairperson King asked that the Commission be kept informed as to any ramifications that may arise.

*Vote on the motion carried unanimously.*

**APPROVED AS PRESENTED**

**APPOINTMENT - JIM ULVELING (50% WASTE REDUCTION GOAL)**

Jim Ulveling, Carroll County Solid Waste Management Commission, presented a history of their programs and expanded on their curbside recycling program. He noted that costs for their recycling facility were \$120/ton in the beginning and in 1995 went down to \$30/ton. The costs are now at \$40/ton. He stated that they are at a 33% reduction rate currently, but to reach the 50% waste reduction goal it will take a big commitment. He related that the major concern is that in moving toward the 50% goal they could endanger losing where they are now, at 33%.

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Mr. Ulveling explained that if they have to commit more money and the markets are not there it could be a major problem. He expressed concern with losing customers to other areas because of lower costs. He related that he is committed to reach the 50% goal but does not want to price himself out of business to do it. Mr. Ulveling stated that he wants to set up a household hazardous waste regional center and a composting operation. He stressed that costs have to be considered. He invited the Commission to attend the open house for their new facility on, April 16.

**APPOINTMENT - KATHY MORRIS (50% WASTE REDUCTION GOAL)**

Kathy Morris, Scott Area Solid Waste Management Commission, presented a history of their Commission, their members, and problems they have faced and solved. She described their new composting facility and household hazardous materials facility, and discussed their county-wide recycling program and user and tonnage fees. Ms. Morris noted that they have diverted 38% of waste from the landfill. She stated that there are three private solid waste landfills in her area which charge only from \$13 - \$19/ton, adding that it is extremely difficult to compete and maintain their current programs to reach the 50% goal. She related that another 15 million dollar investment would help get them to 48% reduction. She discussed ways to achieve the 50% reduction but related that it eventually would cost \$60/ton, and public investment of bonds must be protected.

**APPOINTMENT - TOM HADDEN (50% WASTE REDUCTION GOAL)**

Tom Hadden, Executive Director - Metro Waste Authority, stated that the MWA goal is to buy properties around their facility and to provide cost-efficient solid waste disposal to the metro area. He related that they are proactive in trying to reach the 50% goal and have invested 26 million dollars in the program. He noted that their tipping fee is \$30/ton but they are losing a lot of waste to the western part of the metro area. He discussed their curbside recycling program and costs for same. He related that MWA reduced their administrative staff by 35% recently to try to meet the future challenges. Mr. Hadden stated that they did a survey and found that 73% of the people do not want unit-based pricing. He related that the MWA is at 35% waste reduction. He noted that the MWA is going to pursue with the legislature to provide some of the \$4.25/ton fee back to the landfills to help defray expenses. He reported on waste reduction goals and costs for neighboring states. Mr. Hadden stated that he wanted to let the Commission know about the MWA's approach to the legislature.

**LEGISLATION UPDATE**

Don Paulin, Deputy Director, informed the Commission that there has been 393 bills introduced to date and the department is tracking 114 of them.

He noted the following:

- 17 bills deal with livestock - expanded on details of several
- 14 bills deal with deer
- 2 bills deal with bottle deposit law
- 2 bills restrict the Fire Marshall's Office to deal with open burning in some cases
- 1 bill deals with environmental audit
- Department bill on groundwater professionals passed the Senate
- 3 bills dealing with household hazardous materials take a step backward - they deal with labeling, and reducing produce coverage.
- Some of the livestock bills deal with county zoning; establishing a county engineer for preliminary permit review; required monitoring; banning earthen storage above two million gallons; and banning spray irrigation.
- Bills dealing with ozone and OTAG
- 1 bill deals with sewage and another with storm water runoff
- 1 tire bill deals with automobile tire recyclers, allowing them to have 500 used tires on site.
- Several bills deal with solid waste - to stop discarding on private property
- Department's water supply revolving fund bill passed the House

Mr. Paulin explained that the OTAG bill is an attempt to give Iowa the ability to comment, review, and provide oversight of the nationwide OTAG directives dealing with ozone and smog formation.

Mr. Stokes expanded on the Ozone Transport Assessment Group (OTAG). He noted that in March, EPA will send a SIP call to states saying they need to address ozone problems in their respective state. He related that the most severe impact would be on the quad cities area.

Discussion followed in regard to plugging ag drainage wells.

<b>INFORMATIONAL ONLY</b>
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**GENERAL DISCUSSION****Tire Chop**

Chairperson King asked Allan Stokes to give an update on the tire site at Ft. Dodge.

Mr. Stokes stated that a year ago Tire Chop's permit was temporarily changed to allow 386,000 whole tires to be stored outside, for use in a leachate recovery system at the landfill. He related that the facility has not been inspected by DNR for several months, but the last time staff was there they were in compliance. He noted that Iowa State is using LAFA grant funds to look at some alternative uses of tires. He added that Tire Chop brought on a grinder and is looking for avenues for use of the ground tires. Mr. Stokes stated that he will have staff visit the site to determine its current status.

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Discussion followed regarding the amount of tires that can be stored there, compliance on fire lanes, and previous fines against Don Grell.

Charlotte Mohr asked that a current report be given on Tire Chop at the next Commission meeting, including tire usage at the landfill.

### **50% Waste Reduction Goal**

Teresa Hay reviewed that the Commission heard concerns from ISOSWO today about turning the 50% waste reduction goal into a mandate, and noted that no one else ever talks about turning the goal into a mandate. She added that the department has never proposed or advocated a mandate, and she has never heard any legislator say they think the goal should be a mandate. She stated that flow control is a federal issue and the State has no authority to take action on this issue.

### **Goals Monitoring Committee**

Ms. Hay distributed copies of a report from the Goals Monitoring Committee Meeting recently held. She related that this committee will be addressing concerns with the cost of achieving the 50% goal.

Ms. Hay stated that in relation to Metro Waste Authority's concern about losing waste to the western portion of the metro area, they have never addressed that issue to the DNR. She related that the department has been aware that the numbers being reported on landfill tonnages indicate there has been a 30,000 ton shift Dallas County. She noted that the department has initiated looking into asking for updated information from the landfills to the west areas and to indicate where their extra waste is coming from.

Ms. Hay distributed copies of a list showing how tonnage fees are being distributed. She also distributed a brochure on a workshop entitled "Iowa Compost Procurement and Use Workshop," which will be held on March 18.

Discussion followed regarding 50% waste reduction issues, and Illinois taking Iowa wastes and having lower tonnage fees.

**HF 519 Livestock Legislation**

Chairperson King asked Mike Murphy to speak to the issue of prohibited expansion in HF 519.

Mr. Murphy stated that the issue he heard discussed concerned the ability to construct a number of small facilities within a geographic area and a perceived loophole. He reviewed that regarding a Manure Management Plan (MMP), staff felt there was a loophole in that a person could expand from a small operation (below 200,000 lbs.) to a middle size operation (200,000-625,000 lbs.) and not have to file a MMP. He related that staff tried to close that loophole and ultimately the Commission decided not to change it. Mr. Murphy stated that as far as the need for a permit, which related to a particular producer who is currently under pending enforcement action, the rules were expanded to say that the middle size facility would need a permit if they had a pending enforcement action. He added that in coupling that with the law that states if there is a pending enforcement action they cannot get a permit, it shuts them down from building new facilities. He related that they could build small operations.

Mr. Murphy reviewed that an issue earlier today had to do with the adjacency issue if an operator has more than one facility it is considered to be one, if within a set distance. He noted that within a quarter section, up to three small facilities could be built without needing a permit. He related that a small facility is about 1,300 head.

William Ehm commented that they (DeCoster's) could probably contract with another farmer to get the permits and raise the hogs for them.

Mr. Murphy stated that he would have to look into the legalities of doing that.

Discussion followed regarding enforcement actions against DeCoster, when permits are needed, and the possibility of HF519 being changed in the legislature this year. Also mentioned was the case where a neighbor of Maple Pork stopped the issuance of a permit by installing a trailer house. That case will be coming to the Commission through the appeal process.

**Public Hearing in Walcott**

Charlotte Mohr reported that there was a recent public hearing in Walcott about several pipelines being installed by Northern Border Pipeline, and she commended Mike Carrier for his fine remarks at the meeting.

**NEXT MEETING DATES**

March 17, 1997

April 21, 1997

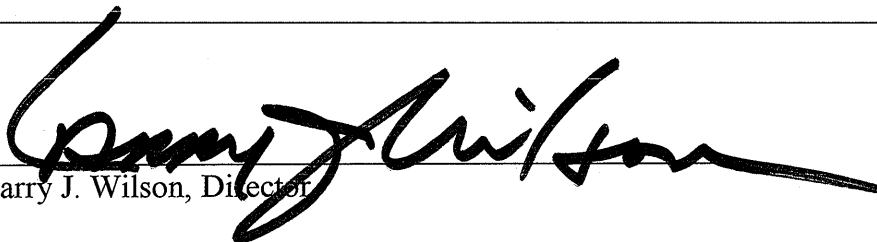


May 19, 1997

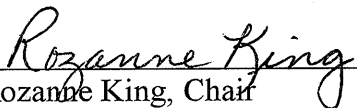
**ADJOURNMENT**

With no further business to come before the Environmental Protection Commission, Chairperson King adjourned the meeting at 2:15 p.m., Monday, February 17, 1997.

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Larry J. Wilson, Director



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Rozanne King, Chair



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Charlotte Mohr, Secretary

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